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Forty-fifth session

REPORT OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION

I. INTRODUCTION

1. The Sub-Committee of the Whole on International Protection (Sub-Committee) met on 28 September 1994 under the chairmanship of His Excellency Ambassador J.F. Boddens-Hosang (Netherlands).

2. The Sub-Committee adopted the following agenda (EC/SCP/86):

(i) Adoption of the agenda

(ii) Report on the Inter-sessional meeting of the Sub-Committee of the Whole on International Protection

(ii) Note on International Protection

(iii) Twenty-fifth anniversary of the adoption of the Organization of African Unity (OAU) Convention

(iv) UNHCR's activities for refugee law promotion, dissemination and training

(v) Any other business

(vi) Adoption of the draft report of the Sub-Committee of the Whole on International Protection to the Executive Committee.

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3. In her opening remarks to the Sub-Committee, the High Commissioner referred to the need of refugees for international protection as the raison d'être of UNHCR. Ensuring their protection, including asylum, access to safety and life-saving assistance, and promoting solutions were the major tasks of her Office.

4. Among the challenges confronting the Office, the High Commissioner underlined the physical constraints and security and protection concerns which impeded UNHCR's ability to ensure the safety, welfare and even survival both of refugees and of returnees who freely chose to go home. She pointed out that providing international protection is a collaborative enterprise, which requires action by States, and expressed gratitude for the support of Governments to the Office's international protection function. She noted the increasing role played by non-governmental organizations (NGOs) in the field of protection.

5. The High Commissioner stated that the majority of today's refugees have fled from situations of conflict, generalized violence and civil strife. Many were either considered not to fall within the 1951 Convention definition, or were in countries not party to either the Convention or its 1967 Protocol. She believed that everyone agreed that refugees fleeing armed conflict and those fleeing persecution were in need of international protection. Various innovative approaches had been adopted by States in different regions to meet this need. Referring to the OAU Convention, the Cartagena Declaration and the recent Addis Ababa Symposium on Refugees and Forced Population Movements, she invited delegations to look ahead and reflect on how protection can effectively be provided to ever larger numbers of refugees.

6. Addressing the issue of internally displaced persons, the High Commissioner stated that UNHCR was not seeking a broader mandate for persons within their country, but that the clear protection needs of internally displaced persons could not be ignored without repercussions for refugees. The problems of coerced displacement and threatened displacement needed to be addressed comprehensively on both sides of the border. She welcomed the endorsement by the General Assembly of UNHCR's efforts to pursue strategies on prevention and solution under certain conditions.

7. The High Commissioner concluded her address by informing delegations that Mr. Franco, the Director of the Division of International Protection, would, as of 15 October 1994, be taking up new responsibilities as Head of the Human Rights Verification Mission in Guatemala. Expressing regret at Mr. Franco's departure, she praised his role in leading the Division at a crucial stage and in promoting a new meaning of protection in the context of prevention and solutions.

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II. ADOPTION OF REPORT OF THE 18-19 MAY MEETING OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION

8. The Report of the 18-19 May 1994 Meeting of the Sub-Committee of the Whole on International Protection (EC/1994/SCP/CRP.6) was adopted without further discussion. The Chairman indicated that a draft Conclusion on Internally Displaced Persons, reflecting the comments submitted by several delegations on an earlier draft, would also be considered under this item and invited comments on the draft conclusion. In view of comments by several delegations, a working group was established to revise the draft for resubmission to the Sub-Committee later in the same day (see para. 69).

III. NOTE ON INTERNATIONAL PROTECTION

9. Introducing the Note on International Protection (A/AC.96/830), the Chairman remarked that it examined the gaps in the international protection regime and proposed a number of ways to bridge them in order to ensure that all those deserving international protection actually receive it. He suggested that the debate be structured around four main themes, namely

(i) protection of persons in flight from conflict;
(ii) temporary protection;
(iii) voluntary repatriation; and
(iv) protection in situations of conflict and instability in countries of origin.

A. Introduction by the Director of International Protection

10. Presenting the Note, the Director of International Protection recalled that the overall objective of international protection was to meet the whole range of needs resulting from the lack of national protection, from the need for personal security and subsistence, through legal status and respect for fundamental human rights, to durable solutions. Current international practice reflected a broad consensus on protection needs. The concept, content, and tools of international protection needed to be examined from the perspective of response to the need.

11. Noting the universal character of the 1951 Convention and 1967 Protocol, to which 127 States were now party, Mr. Franco remarked that their flexibility in spirit and letter made it possible to accommodate the majority of refugee situations. Disparities had arisen, however, between the need for international protection and the legal framework, owing both to inherent limitations in the basic instruments, as well as to their interpretation by States.

12. Mr. Franco noted that a large proportion of refugees were fleeing armed conflict. While many refugees from war were covered by the 1951 Convention, as they were also fleeing persecution, some were escaping mainly from crossfire and devastation. The absence of a normative legal framework could

result in inconsistency and uncertainty in the protection extended to such persons, as well as, in some cases, in a failure to protect. Observing the success of certain pragmatic approaches in bridging this gap, he called for a consideration of the ways in which international protection could be improved, noting the options for this as reviewed in the Note on International Protection, including the possibility of working towards a declaration of guiding principles, towards greater regional harmonization, and towards concerted approaches in specific situations.

13. The Director addressed the issue of temporary protection, and summarized UNHCR's views on its role in future strategies of prevention, protection and solutions. Temporary protection had proved to be an effective measure in situations of mass influx, defining beneficiaries on the basis of their need for international protection, and focusing on return as the most appropriate solution. He proposed that UNHCR, together with the international community, continue to examine how temporary protection should be developed.

14. The Director went on to address the need for remedies in countries of origin. To prevent refugee flows and facilitate voluntary repatriation, people needed to be protected by their own Governments in their own countries. UNHCR has increasingly been involved in providing support for protection to returning refugees and, under certain conditions, the internally displaced and other vulnerable persons, often in situations where it was neither possible nor desirable to limit activities to a particular category of persons in the same community.

15. The Director made reference to UNHCR's activities in situations of armed conflict and extreme instability, and noted that a comprehensive approach incorporating peacemaking and peace-keeping, development and institution-building is called for in order that truly durable solutions may be achieved. The efforts of the international community in the careful development of such an approach is required.

16. The Director concluded by underlining the need described in the Note to reinforce the current framework of protection in the form of an Executive Committee conclusion, with States reaffirming their commitment to ensure the protection of those threatened by armed conflict, widespread violence, or grave abuses of human rights. He welcomed the guidance of the Executive Committee in the task of bringing protection to those who need it.

B. Protection of persons in flight from conflict

17. In the ensuing debate, the Note on International Protection was welcomed as presenting an informative overview of the central issues, as well as for its thoughtful analysis of the challenges confronting UNHCR in ensuring international protection for refugees. Several delegations expressed their appreciation for the pragmatic, constructive and thought-provoking approach. Many speakers underlined the complexity of current international protection issues, to which the Note responded.

18. There was broad agreement and support among delegations on the continuing relevance of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as the cornerstone for international protection. Indeed, some delegations remarked on the need to address the "gap" of non-accession to these instruments, as well as the importance of utilizing the Convention's flexibility in order to include within its coverage as far as possible the main categories of those in need of international protection. Many speakers addressed the protection needs of refugees from armed conflict, and one delegation commented that, as protection needs evolve, so should responses. Many delegations observed that the protection afforded to, and treatment of, refugees is generally satisfactory. One observer commented that actual state practice in providing asylum and protection mattered more than accession to instruments.

19. There was general recognition of the importance of ensuring protection for all who need it, and of the fact that the High Commissioner had been called upon by the international community to provide protection and assistance to persons fleeing war, generalized violence and civil strife, as well as those with a well-founded fear of persecution. Most speakers considered, however, that the time was not ripe to seek a binding international instrument reflecting obligations towards refugees beyond those contained in the 1951 Convention and 1967 Protocol. Many delegations indicated their readiness, however, to participate in discussions that could lead to the formulation of guiding principles. Several delegations stressed that any guiding principles should not be of a binding character, but would be intended to promote, on a regional or global basis, more concerted international efforts to provide international protection. Two speakers stated specifically that a declaration of guiding principles along the lines of the Cartagena Declaration was an option that deserved to be pursued, and expressed their willingness to participate in such an exercise.

20. Many delegations, while noting the absence of a formal international legal framework, stressed that in practice various measures were employed to provide protection to those persons fleeing armed conflict who did not otherwise qualify for protection under the 1951 Convention or under any applicable regional instrument. They praised the generous responses by States in such cases. Several speakers considered that regional harmonization offered the most promising avenue for enhancing international protection. Examples of regional harmonization and concerted approaches in specific situations were given. In this connection, a number of delegations expressed the hope of strengthening further the existing close and constructive dialogue with UNHCR in the process of harmonization of policies in the European Union.

21. One delegation remarked that a number of international instruments contain important additional obligations in respect of the protection of persons fleeing situations of armed conflict. Reference was made to the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

22. One delegation stressed the fact that the policy of forced assimilation of refugees could not be construed as a viable solution to the growing problem of refugee protection.

23. One representative referred in particular to the resolution on common guidelines for the admission of certain particularly affected groups (persons from the former Yugoslavia) adopted by Immigration Ministers of the European Union in Copenhagen in 1993 as an important step towards harmonizing policies viv-à-vis civil war refugees and achieving a reliable framework for the protection of victims of armed conflicts. Another speaker, however, found unsatisfactory the differences in protection and treatment which States provided under ad hoc arrangements. Even where the form of protection differed, and was oriented towards return rather than integration, there must not be a weakening of standards.

24. Another delegation suggested that a focus on groups or situations, not individuals, together with the provision of emergency relief, guarantees of personal security, and return to country of origin as soon as conditions permit, with UNHCR monitoring concerted efforts in such an exercise, could prove a viable approach in providing protection and assistance to persons fleeing armed conflict.

25. Voicing its support for a combined approach, one delegation remarked that the successful international response within the framework of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) had been effective in addressing protection problems in situations of mass exodus. Another delegation favoured developing procedures and mechanisms for more systematic concerted action to meet urgent international protection needs, and welcomed further discussion on comprehensive approaches. Reflecting the comments of other speakers, one delegation said that UNHCR's efforts required equally strong political action by the international community to address root causes. A crucial component of such an overall strategy, the speaker noted, is the recognition by States of their responsibility to protect their nationals.

26. In highlighting flexible and practical approaches to bridge the gaps in the provision of legal protection, many delegations referred to their domestic legislation. One delegation noted that their new legislation had introduced the concept of a provisional residence permit which effectively extended protection to those outside the scope of the 1951 Convention and who have submitted a request for entry, whose enforced removal to the country of origin would be particularly hard on the alien in connection with the general situation in that country. Another speaker remarked that the existing legislation in his country required no changes as its flexible mechanisms for which it provides permit the extension of protection, where necessary, to persons falling outside the scope of the 1951 Convention.

C. Temporary Protection

27. Most delegations recognized the value of temporary protection as a practical protection tool in situations of mass exodus, and many delegations agreed that it should be further developed. Several delegations noted that many questions remained to be answered in the implementation of temporary protection arrangements particularly with respect to the standard of the treatment, as well as its duration and eventual safe return to the country of origin.

28. Several delegations referred to temporary protection as a pragmatic and flexible tool, oriented towards return, which could be an important component of a comprehensive approach to refugee problems. Some delegations emphasized the importance of burden-sharing with regard to the application to temporary protection. One delegation commented that burden-sharing involves more than an assessment of refugee numbers. One speaker described it as shorthand for a range of responses, most effective in mass outflows and in addressing movements of refugees towards neighbouring countries. Most saw such concerted international action, coordinated by UNHCR, as an effective way of dealing with mass influx situations.

29. A number of delegations cautioned against the use of temporary protection as a substitute for the granting of asylum to refugees under the 1951 Convention. One delegation stated that temporary protection should be perceived as a complement to, rather than a substitute for the more comprehensive protection afforded to refugees under the 1951 Convention.

30. A number of delegations, while expressing support for the concept of temporary protection, stated that initiatives aimed at new international or regional instruments or guidelines should not lead to a weakening of existing instruments. The risk of lowering protection standards was a concern raised by several speakers. One speaker suggested that UNHCR oversee the implementation of temporary protection under overall United Nations auspices.

31. One delegation stressed that support for the further elaboration of the notion of temporary protection went hand in hand with the need to continue guarding the principles of the 1951 Convention and the 1967 Protocol. Another delegation recognized that the usefulness of the concept lies in the flexibility it affords, and felt that the formulation of guidelines would be inconsistent with a pragmatic and flexible approach. Excessive institutionalization would undermine it. Another delegation voiced its support for the concept of temporary protection as an effective response to mass outflows and stated that success in its implementation lay not in a rigid adherence to a pre-established model, but rather in the flexible application of the concept.

32. The increasing use of temporary protection, one delegation noted, strengthens the need for a close and continuous dialogue between Governments and UNHCR. Many delegations expressed willingness to participate in

discussions on the development of guiding principles governing temporary protection.

33. One delegation suggested that temporary protection could be renamed "return-focused protection", as the present terminology might imply less protection, rather than protection geared towards facilitating the return in safety and dignity of uprooted groups. "Return-focused protection" should not mean less protection or a lower standard of treatment, but the implementation of the basic principles of protection through approaches appropriate to the uniqueness of each situation.

34. Another delegation expressed the view that the content of temporary protection had to be defined by examining of the likelihood and appropriate time of return to the country of origin.

35. Several delegations discussed the duration and return-related aspects of temporary protection. One delegation suggested that it should not exceed a period of three years. Another expressed the belief that providing the same possibilities for leading an ordinary life and achieving self-reliance for beneficiaries of temporary protection as other persons receiving protection would provide the best basis for return to, and participation in, the rehabilitation of the country of origin. One delegation expressed concern at some of the assumptions underlying the Note and at the possible widening of the High Commissioner's mandate.

36. A fourth delegation sought clarification on the extent to which UNHCR would assist in compulsory as well as voluntary return of persons benefiting from temporary protection when the need for international protection had ceased.

37. Many delegations expressed the view that temporary protection should not be perceived in isolation but as one component of a comprehensive approach to the solution of refugee problems. As such, it should be incorporated in a broader response by the international community to the solution of humanitarian crises. In this connection, one speaker referred to the value of early warning information as well as the need to distinguish clearly between persons requiring international protection, and migrants.

38. Two delegations expressed their appreciation for UNHCR's resettlement efforts and, reaffirming the importance of resettlement as a tool of protection, expressed their countries' willingness to continue to work closely with UNHCR on its resettlement programmes. One delegation acknowledged that resettlement was appropriate in certain cases, but cautioned against a "pull factor".

39. The same delegation sought clarification on the respective roles temporary protection and resettlement might play in a concerted international

response to a complex outflow and looked forward to receiving UNHCR's review of resettlement and advice on how resettlement may be integrated into comprehensive approaches.

40. Two delegations spoke of the problem of statelessness, and called on UNHCR to strengthen its efforts in this domain, including promoting two Conventions relating to the Reduction of Statelessness and relating to the Status of Stateless Persons. The delegations further called for training for UNHCR staff and national authorities, and a systematic gathering of information on the dimension of the problem. One of these delegations suggested that UNHCR submit an annual report outlining efforts and actions on behalf of stateless persons, and also that the Sub-Committee on Administrative and Financial Matters consider the programmatic and financial implications of an increased involvement.

D. Voluntary repatriation

41. On the subject of voluntary repatriation, there was consensus that States should cooperate fully with the High Commissioner in her efforts to fulfil this aspect of her mandate. One delegation emphasized the High Commissioner's legitimate concern about the consequences of any return to which UNHCR has assisted. Many delegations emphasized that voluntary repatriation constitutes the most appropriate durable solution to refugee problems, while recognizing existing obstacles.

42. Given the fact that many countries of origin continue to suffer from the effects of war and instability, there was broad agreement that, to be viable, repatriation must be viewed as one component of a multi-sectoral approach requiring comprehensive and wide-ranging action on the part of the international community. There was a need to promote broader international efforts to address these situations.

43. In referring to the need for a multi-sectoral approach, many delegations emphasized the necessity for the collaborative efforts of the various components of the international community, as well as the States directly concerned. Other delegations stressed the importance of increased cooperation in political, military, and humanitarian initiatives within the United Nations framework. Some delegations pointed out that regional political initiatives geared towards regional security and rehabilitation programmes were of equal importance. Many delegations highlighted the particular need for activities involving human rights mechanisms, focusing on the need for access to monitor security and human rights conditions affecting returning refugees.

44. There was consensus on the link between development and rehabilitation in creating conditions conducive to return. Many delegations stressed the importance of support for development and reconstruction efforts in conjunction with international development agencies. A number of delegations expressed appreciation for UNHCR's role in voluntary repatriation, which is a complex and delicate one, and some speakers drew attention to the need to

disseminate accurate information to refugees to enable them to take decisions on repatriations. One speaker noted the desirability of close cooperation between the country of origin and host countries, and UNHCR.

45. Several delegations welcomed UNHCR initiatives within the Humanitarian Issues Working Group of the International Conference on the Former Yugoslavia as providing a framework for the harmonization of national repatriation programmes. One delegation referred to the importance in this context of efforts by UNHCR and Governments to disseminate authoritative and accurate information regarding conditions in countries of return as a crucial aspect of promoting return.

E. Protection in situations of conflict and instability

46. On the subject of protection in situations of armed conflict, one delegation noted that UNHCR's involvement in providing protection in countries of origin under such circumstances would have been unthinkable a few years ago.

47. There was general agreement that UNHCR's involvement must be part of a far wider strategy aimed at prevention, protection and solutions, involving other elements of the United Nations system, including peace keeping and peacemaking operations. One delegation highlighted the need to build bridges within the United Nations system in this area. Another delegation remarked that UNHCR's protection function should be part of broad international support for national protection of all individuals within a State's territory.

48. Some delegations were concerned that a balance be struck between the need to provide humanitarian assistance and the necessity not to over-extend the capacity and mandate of the High Commissioner. Several delegations referred to the importance of respecting national sovereignty when providing assistance and protection in countries of origin, and pointed to the responsibility of States for the welfare of those within their territory. Other delegations underlined the complexity of the relationship between humanitarian and peace-keeping operations, and voiced concern regarding the danger of compromising the impartiality of humanitarian missions in highly politicized environments. The need to consolidate lessons learned from international involvement in countries of origin was highlighted by one delegation, referring, among others, to the examples of the former Yugoslavia and Rwanda.

49. Many delegations referred to the importance of respect for international human rights law and international humanitarian law, and emphasized the importance of being able to gain access to populations in need. Many referred to the necessity of full cooperation between humanitarian partners and existing human rights mechanisms.

50. Many delegations focused on the need for international solidarity and concerted action in both the regional and international arenas, with one delegate expressing the view that the issue required discussion at the higher intergovernmental level.

F. Concluding remarks by the Director of International Protection

51. Responding to the debate, the Director expressed satisfaction that this year's deliberations on the difficult question of how UNHCR could provide protection to all those in need had been extremely constructive. He noted that there was a consensus that the existing international refugee instruments remain the cornerstone of international protection, but also agreed with an observation, made in the course of the discussion, that a lacuna currently exists between the international legal framework and actual protection needs. He had noted the different views of delegations regarding the adequacy of practical and regional arrangements and other international human rights instruments to bridge gaps in the provision of protection. He also referred to the heavy burden placed on countries of asylum which had resulted in "host country fatigue", and noted the importance of the principle of non-refoulement and international burden sharing.

52. While it was agreed that the time for a new Convention was not ripe, he welcomed the interest of many delegations in the possible elaboration of a declaration of guiding principles based on past and current experience and practice, and the desire by States to see UNHCR act as catalyst in this connection. He took note of the views of many delegations that any such guidelines should not be binding in character.

53. On the issue of temporary protection, the Director was encouraged by the references of many delegations to the value of including temporary protection in the framework of comprehensive approaches in order to ensure protection in situations of mass influx. He highlighted three features of temporary protection which had emerged from the debate: it constituted a flexible and pragmatic approach, was to be applied as part of a comprehensive approach of concerted action, and was oriented towards the solution of return. He noted the indication from some delegations that States would benefit from the promulgation of guidelines by UNHCR in order to enhance this strategy.

54. In relation to voluntary repatriation, the Director observed that this aspect of the High Commissioner's mandate constituted one of the major challenges confronting the Office, and welcomed the support expressed by many States for UNHCR activities in this area. He noted the observation of some delegations that return constitutes the most appropriate solution to refugee problems, and observed the specific reference of several delegations to the problems in Africa. He noted the emphasis on repatriation as one component of a multi-sectoral approach involving initiatives at the political, military and humanitarian levels within United Nations and regional frameworks, as well as the reference by many speakers to the importance of the link with development and human rights strategies.

55. In response to the request for clarification from one delegation on the extent to which UNHCR is ready to assist in compulsory repatriation when the need for protection has clearly ceased, the Director noted that UNHCR regards voluntary repatriation as the most desirable solution, and that UNHCR stands ready to advise Governments when it considers that the need for international protection has clearly ceased. This advice could include, in appropriate circumstances, the application of the cessation clauses of the 1951 Convention.

56. In relation to UNHCR's protection activities in situations of armed conflict, the Director recalled one delegation's observation that these would have been unthinkable several years ago and reiterated that this is a new area of activity based on the expertise of the office. The Director noted that a balance must be struck between the importance of such activities in terms of a strategy aimed at prevention, protection and solutions, and the need for caution in overstretching the Office's capabilities. He pointed to the complex relationship between humanitarian and peace-keeping operations, and noted the concern expressed by some delegations on the importance of preserving the purely humanitarian nature of UNHCR's activities, and the difficulties of so doing in highly politicized environments.

57. In conclusion, the Director expressed his gratitude for the unanimous support for the High Commissioner's mandate and her activities on behalf of those in need of international protection.

IV. TWENTY-FIFTH ANNIVERSARY OF THE ADOPTION OF THE OAU CONVENTION

58. The Chairman introduced the conference room papers (EC/1994/SCP/CPR.7) and (EC/1994/SCP/CRP.7/Add.1) concerning Activities Undertaken to Commemorate the 25th Anniversary of the Adoption of the 1969 OAU Convention and the Twentieth Year since its Entry into Force.

59. The Senior Regional Legal Adviser for Africa, in introducing the item, noted that the Commemorative Symposium on Refugees and Problems of Forced Population Displacements in Africa which had been held in Addis Ababa from 5-7 September 1994 had adopted by consensus the document incorporating the 34 recommendations reproduced in the conference room paper, and had specifically requested that it be presented to the Executive Committee.

60. The Senior Regional Legal Adviser highlighted the challenges and concerns which were considered as particularly important by the Symposium. The recommendations call for a Comprehensive Plan of Action effectively to address root causes of displacements in Africa, and specific measures in support of OAU activities in favour of conflict prevention and resolution. While calling for a more effective implementation of the OAU Convention in Africa, they reiterate its usefulness as a point of reference for legal developments in other regions.

61. He noted that the recommendations contain a strong appeal for support by the international community to enable African asylum countries to fulfil their obligations to provide asylum through material assistance, international burden sharing and effective regional approaches. The recommendations also emphasize the needs of the internally displaced, and encourage state cooperation to allow international access to them. In relation to solutions, the recommendations focus on questions concerning voluntary repatriation, and encourage African countries to provide resettlement where this is the only solution. The Senior Regional Legal Adviser further noted the appeal to international organizations to implement activities in such a way as to cater to the needs of other populations which may not fall strictly within their mandates.

62. Noting the High Commissioner's satisfaction with the recommendations as an important contribution to the framework for tackling the challenges of refugee problems, the Senior Regional Legal Adviser expressed the hope of the Office that the Sub-Committee of the Whole on International Protection and the Executive Committee would support them as an authoritative tool to support the actions of the Office in Africa and other regions of the world.

63. One delegation wished that the recommendations of the Symposium be reflected in the activities of UNHCR relating to the African continent and hoped that the Executive Committee would give its support to the results of this Symposium. Several delegations took the floor to acknowledge the valuable nature of many of the recommendations. They expressed the hope that an Executive Committee conclusion on the matter would be adopted. The Chairman noted that consultations were being undertaken on a draft conclusion on the recommendations, which will be studied by the Friends of the Rapporteur.

V. UNHCR'S ACTIVITIES FOR REFUGEE LAW PROMOTION, DISSEMINATION AND TRAINING

64. The Information Note on UNHCR's Activities for Refugee Law Promotion, Dissemination and Training (EC/SCP/88) was introduced by the Chief of UNHCR's Promotion of Refugee Law Section. He recalled that refugee law promotion, dissemination and training is a sine qua non to effective implementation of other protection activities. He remarked that, given the growing complexity of the refugee phenomenon and the refugee problem, there is a greater need to revitalize the promotion and dissemination of, and education in, principles guiding UNHCR's action. In carrying out this task, he noted that UNHCR can rely on its extensive field presence, but such coverage may prove insufficient as increasing demands are placed on its human resources. Such a situation, he remarked, requires the mobilization of like-minded partners at various levels (governmental, inter-governmental, and non-governmental), and adequate resources for its implementation.

65. Presenting an overview of UNHCR's activities in the field of promotion, the Chief of Section identified two main aspects: networking and training. The aim of this strategy, he said, is to trigger a multiplier effect on UNHCR's activities. He informed delegations of the decentralization of programming and management of training programme and the need for an institution-building approach involving Governments and NGOs, and referred to twinning programmes and internships as a means of expanding UNHCR cooperation with Governments.

66. With respect to refugee law teaching and research, the Chief of Section informed delegates that efforts are underway to develop university networks, with emphasis placed on Africa and Asia.

67. On the issue of human rights liaison, he noted that substantive progress had been made in placing refugee issues on the agenda of human rights bodies, while at the same time training UNHCR staff in using human rights instruments and mechanisms in their protection work.

68. Finally, he identified the area of dissemination through electronic means as one in which UNHCR has taken a lead position in recent years, with the development of a wide range of legal databases.

69. In responding to the Information Note, one delegation underlined the need to promote refugee law, and training. It was noted that systematic "train the trainers" programmes aimed at immigration and police departments were needed in lieu of the present ad hoc arrangements. Another delegation stressed the importance of UNHCR intensifying its protection training in areas where it has the largest emergency programmes, and cited the September 1994 OAU/UNHCR Addis Ababa Symposium on Refugee and Forced Population Movements in Africa as a milestone in the promotion of refugee law.

VI. ANY OTHER BUSINESS

70. The draft conclusion on Internally Displaced Persons as revised by the Working Group was resubmitted to the Sub-Committee, which approved and adopted it as an annex to its report to the Executive Committee. The Draft Conclusion is contained in Annex 1 of this report.

INTERNALLY DISPLACED PERSONS

The Executive Committee

(a) Recognizes that the involuntary displacement of persons within their own countries is a problem of global dimensions, and that the plight of such internally displaced persons, whose numbers may exceed those of refugees, is a matter of grave humanitarian concern;

(b) Notes that the many and varied underlying causes of involuntary internal displacement and of refugee movements are often similar, and that the problems of both refugees and the internally displaced often call for similar measures with respect to prevention, protection, humanitarian assistance, and solutions;

(c) Reiterates the need for the international community to seek ways and means to avert involuntary displacements;

(d) Emphasizes that since internally displaced persons remain within the territorial jurisdiction of their own countries, the primary responsibility for their welfare and protection lies with the State concerned;

(e) Urges the Governments of States where there are internally displaced persons to fulfil their responsibility for their welfare and protection;

(f) Calls upon the international community, in appropriate circumstances, to provide timely and speedy humanitarian assistance and support to countries affected by internal displacement to help them fulfil their responsibility towards the displaced;

(g) Notes that, in many instances, the internally displaced are present alongside refugees, returnees, or a vulnerable local population, in situations where it is neither reasonable nor feasible to treat the categories differently in responding to their needs for assistance and protection;

(h) Recognizes that actions by the international community, in consultation and coordination with the concerned State, on behalf of the internally displaced may contribute to the easing of tensions and the resolution of problems resulting in displacement, and constitute important components of a comprehensive approach to the prevention and solution of refugee problems;

(i) Calls on the Governments concerned to ensure safe and timely humanitarian access to persons in need of protection and assistance, including the internally displaced and victims of armed conflict, as well as refugees within their territories;

(j) Recognizes that Resolution No.48/116, adopted by the United Nations General Assembly on 20 December 1993, which reaffirmed support for the High Commissioner's efforts, "on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, and taking into account the complementarities of mandates and expertise of other relevant organizations, in providing humanitarian assistance and protection to persons displaced within their own country in situations calling for the Office's particular expertise, especially where such efforts could contribute to the prevention or solution of refugee problems", continues to provide an appropriate framework for the involvement of the High Commissioner in situations of internal displacement;

(k) Encourages the High Commissioner to continue the efforts of her Office to put into action its internal criteria and guidelines for UNHCR involvement in situations of internal displacement, as an important contribution towards a more concerted response by the international community to the needs of the internally displaced;

(l) Emphasizes that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

(m) Recognizes that international human rights law, international humanitarian law, and, in many cases, national laws include norms providing for the security and protection of the internally displaced as well as those at risk of displacement, and expressed serious concern at the failure of parties involved to respect these norms;

(n) Acknowledges the importance of the work of the Representative of the Secretary-General for Internally Displaced Persons and, in particular, his efforts to compile existing international standards in respect of the treatment of the internally displaced, and to develop a code of conduct comprising guiding principles in this regard;

(o) Calls on UNHCR to continue its close cooperation with the Representative of the Secretary-General in the fulfillment of his mandate;

(p) Further acknowledges the essential role of the International Committee of the Red Cross in disseminating international humanitarian law and in providing protection and humanitarian assistance to those displaced by armed conflict;

(q) Calls for the strengthening of efforts in the training and dissemination of international human rights law and international humanitarian law and for the joint promotion, by organizations and agencies concerned, of the implementation of these international standards;

(r) Considers that, in addressing the problem of internal displacement, the international community should seek to collaborate to the maximum possible extent with existing humanitarian organizations, including non-governmental organizations, with relevant expertise;

(s) Encourages UNHCR to continue its efforts, under the leadership of the Emergency Relief Coordinator, and in cooperation with other agencies concerned, to reinforce and structure coordination through existing interagency mechanisms, notably the Interagency Standing Committee, in order to improve the response by the international community to the plight of the internally displaced, and stresses the importance in this connection of strengthening mechanisms for the sharing of information;

(t) Urges that discussions on interagency aspects of internal displacement be pursued actively in other appropriate fora so as to ensure a comprehensive and coherent approach by the international community to the problem of internally displaced persons.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session

REPORT OF THE SUB-COMMITTEE ON ADMINISTRATIVE AND FINANCIAL MATTERS

I. INTRODUCTION

1. The meeting of the Sub-Committee on Administrative and Financial Matters (SCAF) on 29 September 1994 was opened by its Chairman, His Excellency Ambassador A. Kamal (Pakistan). The Chairman began by welcoming the delegates, especially those who normally were not able to attend the Sub-Committee meetings; he also extended a welcome to the Deputy High Commissioner. In his opening remarks, the Chairman introduced the items on the provisional annotated agenda (EC/SC.2/68), which was adopted without comment.

2. The Chairman suggested that the agenda items be clustered in order to make the most efficient use of the time available. The suggestion was approved by the Sub-Committee.

3. The Chairman then gave an overview of the work of the inter-sessional meetings of the Sub-Committee.

4. The Sub-Committee then moved on to the consideration of the draft report of the 24 June 1994 meeting (EC/1994/SC.2/CRP.22), which was approved without any change.

II. STATEMENT OF THE DEPUTY HIGH COMMISSIONER

5. At the invitation of the Chairman, the Deputy High Commissioner made an introductory statement. He gave a brief overview of the most important recent developments of concern to UNHCR and commented on some of the key issues which

were under consideration by the Sub-Committee. He apologized for the late arrival of a number of key documents for the meeting, due largely to the series of emergencies which have strained regular activities.

6. With reference to documentation, the Deputy High Commissioner noted that document A/AC.96/824, Overview of UNHCR Activities, has been substantially revised this year. Another positive development was that document EC/1994/SC.2/CRP.26 provided a review of measures taken or proposed by UNHCR in response to the Board of Auditors recommendations.

7. The Deputy High Commissioner noted the concern expressed about the volume of documentation, some five million pages having been reproduced for the meetings of the Executive Committee. An internal review will be initiated to examine possibilities for substantially reducing documentation, and suggestions from delegations were invited.

8. Commenting on UNHCR's activities, the Deputy High Commissioner said that major emergency humanitarian relief operations, which were once considered exceptional if not unprecedented, have now become the norm and even perhaps the centre-piece of the work of the Office. Since the last regular session of the Executive Committee, UNHCR has dispatched no less than 14 emergency deployments to seven countries.

9. Apart from deploying large numbers of our own staff, UNHCR has looked for help externally. The Office in this regard has benefited from the excellent emergency stand-by agreements with such organizations as the Norwegian and Danish Refugee Councils, the Swedish Rescue Board, Radda Barnen, the Russian EMERCOM, Red-R of the United Kingdom and the United Nations Volunteers system. Technical staff have also been seconded by the Overseas Development Administration (ODA), the European Community Humanitarian Office (ECHO), Swiss Disaster Relief, and the Centers for Disease Control. In addition, UNHCR supported inter-agency coordination by working closely with the Department of Humanitarian Affairs (DHA), and by its very active participation in the Inter-Agency Standing Committee. Coordination was not an end in itself, but a mechanism for faster, more effective, and more comprehensive action. With this in mind, UNHCR would continue to urge DHA to engage the widest possible number of actors in complex emergencies and to ensure the early assignment of responsibilites in such operations.

10. Coordination had continued with the World Food Programme in refugee feeding operations, and this has been further enhanced by a joint task force at headquarters level, regular regional meetings to review strategies for large operations, a joint work plan for 1995, and collaboration in staff training. Discussions are also underway with the United Nations Children's Fund (UNICEF), with the goal of establishing operational modalities for cooperation in emergencies, as well as longer-term programmes. Further discussions aimed at better synchronizing humanitarian relief and rehabilitation efforts were planned with the United Nations Development Programme (UNDP), in relation to the continuum from relief to development. In

addition, following up on the Plan of Action that emerged from the UNHCR-NGO Partnership in Action (PARINAC) process, the Office was moving ahead in making its working relationships with non-governmental organizations more effective.

11. The massive influx of Rwandese refugees into Zaire and other neighbouring countries required extreme measures and innovative approaches. The Office was fortunate to have obtained the direct involvement of many donors on many fronts, including essential life-saving support from the military resources of several Governments. The collective experience will no doubt present an opportunity to analyse the lessons learned in order to improve emergency response capacity in the future.

12. Efforts continued to be made to improve UNHCR's administration and management of its human resources, in particular through the refinement and implementation of the Career Management System. These efforts had placed UNHCR at the forefront of such efforts in the United Nations system.

13. On the subject of staff security, UNHCR's effectiveness in both emergencies and voluntary repatriation operations was determined not only by the Office's capacity but also by the prevailing security situation. The seriousness of the risks to which UNHCR's staff were exposed to has been tragically brought home by the recent killing of a young international colleague working in Burundi. Regrettably, a Draft United Nations Convention dealing with the Security and Safety of United Nations Staff and Associated Personnel currently covered only peace-keeping personnel and failed to recognize the equally important need for protection of humanitarian workers. The support of Member States to extend the Convention's coverage to humanitarian staff, including those of UNHCR's operating partners, would be much welcomed.

14. The Office had also proceeded to upgrade its administrative, financial and information systems and procedures. Efforts focused on streamlining and simplifying procedures, and greater decentralization and delegation of authority to field offices. A senior level UNHCR internal steering committee is to further enhance this exercise in the months to come. Other activities include implementation of a records management and archiving system, reinforcing administrative and financial staff in UNHCR's field operations, and improving management of non-expendable property. UNHCR also continued to upgrade its world-wide telecommunications network, connecting with the most remote field locations; in these endeavors it was working closely with the rest of the United Nations system.

15. The Deputy High Commissioner referred to two particularly important areas which the High Commissioner felt required attention. First, there was a need to strengthen the strategic planning and policy development capacity of the Office in order to formulate more sharply focused policy options; this initiative was still in the process of formulation and the High Commissioner hoped to be in a position to present her recommendations to the Sub-Committee

at an early stage. A second initiative related to the proposal to establish an Inspection and Evaluation Service; this initiative would be discussed further in the course of the Sub-Committee meeting.

16. In concluding his statement, the Deputy High Commissioner expressed appreciation on behalf of the Office for the tremendous support that UNHCR has received from both asylum and donor countries. He also thanked the Chairman for the very special combination of seriousness of purpose, wit and style with which he had guided the deliberations of the Sub-Committee over the last year.

III. UPDATE ON PROGRAMMES AND FUNDING

17. The Chairman draw the Sub-Committee's attention to the documents related to the agenda item: document A/AC.96/824, Overview of UNHCR Activities: Humanitarian Assistance Policy, Programmes, Administrative and Financial Matters, 1993-1995; A/AC.96/825, Parts I to VI, UNHCR Activities Financed by Voluntary Funds: Report for 1993-1994 and Proposed Programmes and Budget for 1995; E/1994/41, Report of the United Nations High Commissioner for Refugees to the Economic and Social Council; A/AC.96/834, UNHCR Activities financed by Voluntary Funds: Report for 1993-1994 and proposed budget for 1995, Report of the Advisory Committee on Administrative and Budgetary Questions; A/AC.96/828, Report on the Status of Contributions to UNHCR Funds as of 31 May 1994; and EC/1994/SC.2/CRP.25, Update on UNHCR Programmes and Funding Projections for 1994 and 1995. The related elements of a draft decision for this agenda item was also drawn to the Sub-Committee's attention (A/AC.96/824, pp.110-111 refer).

18. The Chairman then invited the Director of the Division of Programmes and Operational Support to introduce the relevant agenda item.

19. The Director of the Division of Programmes and Operational Support said that the key document relating to the consideration of UNHCR programmes and funding was document A/AC.96/824, the Overview of UNHCR Activities: Humanitarian Assistance Policy, Programmes, Administrative and Financial Matters: 1993-1995. This document had been radically restructured. He drew attention to the comments of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on documentation; the Sub-Committee's guidance would be sought on the issue of documentation.

20. The timing of the Executive Committee meetings was also something that needed to be taken up with the Members of the Executive Committee; inter alia, in addition to the concerns expressed by the ACABQ, the timing of the programme review exercises undertaken within UNHCR would need to be considered.

21. The Director then turned to programme needs as set out in the Overview document and Conference Room Paper EC/1994/SC.2/CRP.25. In 1994, the revised estimated expenditure now stood at $ 1,320,000,000. Of this amount, $ 418,523,000 was for General Programmes. This was the budgetary target

approved by the 1993 Executive Committee, and the High Commissioner expected, at this stage, that the 1994 programme needs could be accommodated within this amount. The 1995 General Programmes estimate was $ 415,413,000. Total projected needs under General and Special Programmes for 1995 tentatively stand at $ 1,133,291,900, including some $ 22.5 million from the United Nations Regular Budget contribution. Attention was drawn to the specific issues on which Executive Committee approval was sought (paras. 270-273 of document A/AC.96/824 refer).

22. The Director drew attention to the proposal to broaden the funding base of UNHCR's educational initiatives by recourse to the Educational Account (EC/SC.2/69 refers) and the comments of the ACABQ on this proposal.

23. Attention was also drawn to concerns expressed by the ACABQ on the tendency for UNHCR to use revised budgetary estimates to introduce new budget proposals which have not been presented to the Executive Committee in the initial estimates, and which were then funded, partly through recourse to the Programme Reserve. The Committee had seized upon one example of this, namely the proposals in the revised and proposed estimates to improve UNHCR's telecommunications systems. To meet the ACABQ's overall concerns on this matter of the introduction of new budget proposals in revised estimates, it was suggested that such proposals be addressed in a formal manner by the Sub-Committee.

24. The Director concluded his presentation by drawing attention to the progress report on the follow-up to the conclusions of the Working Group on Programme Management and Operational Capacity in document EC/1994/SC.2/CRP.25, paras. 16-23.

25. At the request of the Chairman, the Head of the Fund Raising Service provided an update on contributions along with an outline of UNHCR funding priorities. As of 29 September 1994, contributions had reached a total of $ 732 million. Of this amount, $ 277 million was for General Programmes and $ 455 million for Special Programmes. When the total unobligated funds carried over from 1993 were added to this figure, the Office had $ 975 million available, against the $ 1.3 billion target requirement. Therefore, an additional $ 325 million needed to be raised before 31 December 1994.

26. In relation to Special Programmes, the Head of the Fund Raising Service gave an update on the funding situation for the Rwanda/Burundi crisis, and repatriation to Mozambique, the Horn of Africa, Afghanistan, Guatemala, Myanmar and Sri Lanka. He also drew attention to needs in South-East Asia, Azerbaijan, Georgia, Tajikistan and the former Yugoslavia.

27. In order to facilitate financial planning over the short, medium and long term, he suggested that a series of consultations with Permanent Missions in Geneva be instituted from November 1994 to February 1995. While this had been done to a certain extent in regard to General Programmes, it was important to extend the exercise to Special Programmes.

28. On behalf of the High Commissioner, Mr. Chipman thanked the various Governments for their contributions to UNHCR this year.

29. In response to these interventions, a number of delegations expressed appreciation for the improvements in relation to the Overview document, in particular the transparency of presentation; one delegation, however, expressed reservations about its length. Part I of the Overview was particularly welcomed by some delegations; it highlighted important issues and gave a good summary of the work of the Sub-Committee on Administrative and Financial Matters; it also indicated where linkages in assistance activities were still needed.

30. The lateness of documentation was also raised by some delegations. Concerning the documentation in general, another delegation suggested that UNHCR make an effort to identify for the Executive Committee those documents that it would like to eliminate or discuss on a less frequent basis; justification should be provided to explain why specific documents were proposed for deletion or for discussion at less frequent intervals.

31. The comments of the ACABQ on the need for the Overview to include a performance report were seconded by several delegations; in the view of one delegation, such a report would assist monitoring and performance evaluation. The key concerns of the Board of Auditors Report with monitoring and evaluation were referred to in this context.

32. Several delegations expressed surprise that the General Programmes target for 1995 was lower than for 1994, in spite of the fact that needs overall were increasing.

33. One delegation raised the issue of the need to look at ways of funding UNHCR adequately, so that not only the more spectacular refugee emergencies could be funded but also the less "popular" operations. The time had come to think about more radical approaches to the problem. A number of delegations supported this proposal. The crucial importance of broadening the donor base, and thereby assuring greater burden sharing, was stressed by several delegations. One delegation urged UNHCR to continue its fund raising strategies within the private sector. The theme of the "structural under-funding" of General Programmes was raised by one delegation. The proposals of Mr. Chipman referred to above were welcomed by a number of delegations.

34. Concern was expressed by delegations about the relationship between the General Programme and Special Programmes. It was felt by some that the distinction between these two Programmes no longer made sense; it was suggested that there might be a need for a single budget which would provide for all refugee/returnee needs. If merging the two budgets for General and Special Programmes was not the answer, then UNHCR should come up with another proposal. The thrust of these observations was supported by a number of

delegations. Several delegations pointed out that any proposals on these issues must, however, safeguard flexibility through the right of the High Commissioner to address refugee situations through new appeals.

35. The current degree of governance over Special Programmes was also raised by a number of delegations; at the moment, the Executive Committee only formally approved the General Programmes target which had become a minor part of the Office's total resources.

36. It was suggested that questions related to the budget presentation, the relationship of General Programmes to Special Programmes (or the need for such a distinction), as well as the question of Executive Committee oversight over all programmes should be discussed further at an inter-sessional meeting of the Sub-Committee, preferably the next meeting. These questions should be approached in a forward looking fashion and with an open mind.

37. Prioritization of UNHCR's activities was considered of extreme importance. One delegation expressed the opinion that UNHCR's original mandate must not be lost sight of. UNHCR had taken on responsibilities in the discharge of its mandate which belonged more properly to other agencies. UNHCR had undertaken these tasks, in many instances, because other agencies in the international system were not playing their full part. Another delegation suggested that inter-agency cooperation be reviewed in connection with the Economic and Social Council (ECOSOC) (see paras.87-90 below).

38. A number of delegations suggested that the experience gained from the Rwanda emergency should be analyzed and discussed at a Sub-Committee meeting (see also related proposal in para. 86 below). Large scale emergencies were becoming a permanent feature of UNHCR's work. Although UNHCR was more advanced in the response to such emergencies, further reflection was required on issues related to accountability, organizational structure at headquarters and in the field, logistics and "service packages". A question was raised as to the magnitude of an emergency that UNHCR is able to cope with, and when "service packages" were called for.

39. While commending UNHCR for its quick response in the Rwanda emergency, one delegation suggested that emphasis be placed on identifying local personnel to be hired when required, instead of depending on reserve personnel at UNHCR headquarters or in some other region outside the affected area; such an approach would be more cost effective.

40. The initiatives of UNHCR in the area of human resources management were also welcomed by one delegation; it was hoped that these would bring about economies. In addition, the same delegation felt that further economies might be achieved by looking at some of the more expensive aspects of UNHCR representation, e.g. in Europe, and the headquarters bureaucracy.

41. Progress on the implementation of the recommendations of the Working Group on Programme Management and Operational Capacity was welcomed by one delegation; the report of the Working Group echoed concerns of some delegations that the work of UNHCR in the field was being needlessly hampered by too many bureaucratic requirements. Delegations spoke of the need for more simplified management procedures in UNHCR, with greater delegation to the field, and the establishment of priorities based on the demands in the field.

42. The importance of training was underlined by a number of delegations. The observation was made by one delegation that it was difficult to ascertain the level of resources that UNHCR was dedicating to training, and whether perceived gaps were being addressed. Questions were also raised about UNHCR/World Food Programme (WFP) training; such joint training was important for staff to get to know the respective cultures of both organizations.

43. The need for a sustained follow-up to PARINAC was raised by several delegations. It was also felt that an important part of UNHCR's dialogue with NGO partners must be building NGO capacity to implement UNHCR's activities. One delegation asked that UNHCR give priority to strengthening monitoring by NGOs as an essential component of enhancing UNHCR's accountability.

44. The reservations of the ACABQ as regards the Very Small Aperture Terminal (VSAT) telecommunications system were raised. It was felt that rather than being a new activity, this initiative was an elaboration of ongoing activities, as UNHCR had been given authorization by the Sub-Committee to develop better emergency stocks for, inter alia, staff, vehicles and telecommunications. One delegation stressed the importance that UNHCR initiatives in this areas be closely coordinated with the rest of the United Nations system. The question was raised as to why it had not been possible for UNHCR to convince the ACABQ of the cost savings of its proposals. The Sub-Committee accepted the interpretation that the VSAT initiative was consistent with the decisions taken by the Sub-Committee on a range of related matters (para. 70 of the Overview document refers); in addition, the savings associated with the initiative were recognized. Furthermore, the SCAF interpreted the ACABQ reservations as relating to further proposals rather than those already submitted.

45. Several delegations welcomed the proposed changes to the rules governing the Education Account. One delegation supported the emphasis on vocational and para-professional training for refugees, with the aim of making them more self-reliant. Practical skills benefited not only returnees, but also the countries to which they were returning. The clear link between post-primary education initiatives and eventual voluntary repatriation was welcome; the delegation asked to be reassured, however, that primary education would continue to be funded under General Programmes.

46. In response to these interventions, the Director of the Division of Programmes and Operational Support made a number of comments. He said the Office recognized the number of anomalies associated with the distinction of

General and Special Programmes; an in-depth review of this question by the Sub-Committee would be welcome. On the question of governance vis-a-vis programmes, the Director drew attention to the related issue of assuring a sound, predictable base for funding such programmes.

47. Concerning the adequacy of the Office's emergency response, in spite of an early warning system which has functioned fairly well in the past, the unprecedented tragedy in Rwanda, occurring after a series of emergencies beginning in October 1993, has largely taxed UNHCR's individual institutional capacity.

48. In reply to the suggestion of using more local staff, the Director of the Division of Programmes and Operational Support said that there is no emergency response conceivable without the use of local and national resources of an affected society. As a matter of principle, the Office should in future consider the inclusion of a clause in agreements with international NGOs who were implementing agencies, stipulating that, insofar as possible and as quickly as possible, they should try to use local resources, and develop and train them for some formal handover process, thereby assuring the continuity and stability of the programme. He also mentioned that a Handbook for Implementing Partners would soon be issued; Guidelines on overhead and administrative costs would be addressed in this publication. He pointed out, however, that there could be no single formula for addressing such costs.

49. As regards the quantity of documentation, he felt that since the Member States were the end users of the documents, it was up to them to propose in which cases reductions in volume or elimination of documentation could be envisaged, based on their requirements.

50. On the subject of training, quite a few activities were planned for 1994 including People-Oriented Planning (POP), programme management, emergency management and food management. Training of UNHCR staff was mainly covered in the administrative budget; this amounted to some $ 3.5 million in 1995. Training for implementing partners was often covered in individual country budgets and was conducted by UNHCR staff in-country; a further amount of some $ 1 million had been budgeted centrally to promote training of UNHCR's implementing partners.

51. The Director stated that refugee primary education would continue to be covered under General Programmes.

52. Mr. Chipman also replied to the relevant interventions. He expressed appreciation of delegations' support of his planned individual consultations. As regards the broader review of UNHCR funding, he welcomed this; he said that should the General and Special Programme budgets be combined, it was important to know what level of overall contributions could realistically be expected.

53. In summing up the agenda item, the Chairman noted the broad support for the decision that the Executive Committee would be asked to take on the 1995 programme targets. He noted that some concern had been expressed at a situation in which the Executive Committee was being asked to note an overall level of needs of $ 1.13 billion, including Special Programmes, while only formally approving the 1995 General Programme target of $ 415,413,000. Related issues of governance over Special Programmes, and the relationship of General and Special Programmes would be placed on the agenda for SCAF for a thorough review in the course of next year.

IV. REFUGEE WOMEN AND CHILDREN

54. The background to this agenda item was recalled. The Report of the Working Group on Refugee Women and Refugee Children (EC/1994/SCP/CRP.5) focused its attention on institutional obstacles that hinder UNHCR's performance and made a series of recommendations. The report was approved at the May 1994 meeting of SCIP, subject to its financial implications being examined by SCAF.

55. The Director of the Division of Programmes and Operational Support, in introducing this agenda item, said that the Progress Report on the Situation of Refugee Women and Refugee Children and Financial Implications of the Recommendations of the Working Group on Refugee Women and Refugee Children (EC/1994/SC.2/CRP.23/Rev.1) gave a rather detailed indication of progress that has been made in the areas of refugee women and refugee children. He added, however, that the costs given were only indicative because not all items were new. Although the priority attached to refugee women and refugee children was merited, there has been a consistent disjunction between discussions and a resource base. Some of the questions that had arisen because of this disjunction, were addressed in the document before the Sub-Committee.

56. The Director went on to outline, however, the significant progress that had been made, and indicated areas of future activity. He stressed the overall goal of integrating and "mainstreaming" refugee women and refugee children concerns within UNHCR's programming activities.

57. Numerous delegations made favorable comments about the Progress Report on the Situation of Refugee Women and Refugee Children, which confirmed that the strategy adopted by UNHCR was appropriate. One delegation stated that donors should constantly monitor the implementation of recommendations which were strategically important, but did not require any additional funding, such as those relating to the strengthening of female staff in emergency phases, protection training and programming activities, as well as to the increase of attention to physical protection to prevent sexual violence. The usual assistance approach to refugee women should be changed. They should be considered active partners whose potential capacities should be further developed and utilized, both during their stay in camps in the host country and in the repatriation and reintegration phase in the country of origin. Training activities, particularly literacy and vocational training, leading to

the empowerment of women were encouraged by several delegations. One delegation suggested that UNHCR study indepth the evaluations mechanisms and to establish criteria to assess gender sensitivity of training programmes.

58. A number of delegations voiced their approval for the proposed budget; these activities concerned a core constituency for UNHCR programmes. One delegation said that if it takes only $ 3.7 million to fully implement the recommendations of the Working Group, it will be the best use of funds that the Executive Committee had ever approved. It felt, however, that the amount should be covered within the General Programme; to this effect, it was suggested that a specific approval for funds to implement the recommendations of the Working Group Report should be included in the decision of the Executive Committee. The delegation felt, however, that the amount was deficient on the specific aspect of community service workers required for Emergency Response Teams. Contrary to the Report, the delegation felt that 15 additional community service workers with a budget of some $ 945,000 should be included in the Report. The revised total for this programme would thus be $ 4,476,700. One delegation called for the post of the Senior Coordinator for Refugee Children to be put on the same funding base as that for the Senior Coordinator for Refugee Women.

59. UNHCR was encouraged to continue to develop its cooperation with UNICEF, local NGOs and Governments to ensure better protection for refugee children, in particular unaccompanied minors. The PARINAC process was alluded to by several delegations and its contribution both to the Guidelines on Refugee Children and the recommendations in the Oslo Plan of Action related to refugee/displaced women and children, praised. Several delegations said that field level intervention was a continuing source of concern. In regard to unaccompanied children, reference was made to the findings of the Bellagio conference (March 1994) which had identified areas where further progress was still needed on this important subject.

60. It was stated that work should continue with WFP to improve the food basket of children. With regard to education, it is clear that the provisions in the Convention of the Rights of the Child are far from being met. The trend in UNHCR activities in this area reflects the resource limitations and the complicated funding mechanism. It is necessary to take a closer look at refugee education in a changing world. One delegation raised the problem of children being drafted into military service.

61. One delegation said it would be useful to have a progress report on the implementation of the revised Guidelines for Children presented to the forty-sixth session of the Executive Committee.

62. A recurrent theme, however, in a number of interventions, was that although UNHCR policies on refugee women and refugee children were good, implementation at the field level need to be further improved. Lack of

accountability of staff was cited as the principle cause of that situation. In this context, a delegation urged UNHCR to undertake a results based evaluation of the "Women's Victims of Violence Project" in Kenya.

63. The need to assure that refugee women's concerns were addressed in the preparations for the Social Summit (Copenhagen) and the Conference on Women (Beijing) was raised by one delegation. Protection from sexual violence, adequate treatment of reproductive health and controlled food distribution, in addition to other issues, will be on the agenda for discussion during these two Conferences; responding to these challenges must become a priority for the Programme of the High Commissioner.

64. One delegation detailed a number of contributions it had made to various specific initiatives in relation to refugee women and children; in particular, it underlined the importance of POP training and expressed the hope that the seed money it had contributed for such training would elicit additional funding for this critical activity.

65. The Senior Coordinator for Refugee Women, in her observations on the interventions, strongly requested the support of delegations in ensuring that their representatives to the various preparatory committees to the World Conference on Women and at the Conference itself in Beijing, assist in strengthening the interventions of UNHCR on behalf of uprooted women.

66. The Senior Coordinator for Refugee Children, in response to a question regarding the Hague Convention, said that the Office, in discussions preceding the adoption of the Hague Convention, tried to have refugee children expressly included in the text. Partly owing to a lack of familiarity on the part of the Committee with refugee issues, legal issues and practical examples linked to refugee children and their special situation, a separate Working Group was set up to consider this aspect. UNHCR participated actively in this group and it was felt that a recommendation raising the issue of refugee children was the best way to proceed.

V. REFUGEES AND THE ENVIRONMENT

67. The Director of the Division of Programmes and Operational Support, in introducing this agenda item, reported on progress in the area of refugees and the environment, referring to document EC/1994/SC.2/CRP.24, highlighting the formulation of Interim Guidelines for Environment-Sensitive Management of Refugee Programmes and outlining the measures to give effect to the Guidelines.

68. Numerous delegations commended UNHCR on the excellent progress report and endorsed the main thrusts of the Interim Guidelines. The importance of the pro-active and preventive approaches to the environmental matters was stressed by many delegations.

69. The proper implementation of the Guidelines was thus seen as essential, and several delegations pointed to the practical measures such as their integration into manuals, related staff training and monitoring. Participation and the raising of awareness of refugees in environmental matters were also stressed. In this regard one delegation underlined the importance of implementing education and training activities for refugees.

70. As regards the role of the Office in refugee-related environmental projects, many delegations were of the view that participation of the United Nations Environmental Programme and other international organizations was essential, especially for major rehabilitation projects. Some delegations suggested that UNHCR might take the lead in alleviating environmental damages under emergency situations, while at a later stage the efforts could be sustained by other agencies. In this regard, many delegations stressed that the role of UNHCR would remain catalytic in the rehabilitation of the environment in the post-repatriation phase and requested the Office to explore further inter-agency cooperation in this regard.

71. One delegation, however, regretted that the immense environmental impact of refugees in her country has not been adequately addressed and requested UNHCR and the international community to assist in their rehabilitation efforts.

72. The delegate of Switzerland informed the meeting that his Government would continue to support UNHCR's environmental operation in the United Republic of Tanzania for Rwandese refugees by extending the secondment of Swiss technical experts.

73. In commenting on the various interventions, the Senior Coordinator for Environmental Affairs thanked the delegations for their constructive comments which would guide his work in ensuring proper implementation of the Guidelines and promoting refugee-related environmental projects. He also informed the meeting that significant environmental projects had commenced in the United Republic of Tanzania under a special agreement with the government and the International Fund for Agriculture Development (IFAD).

VI. FINANCIAL AND MANAGEMENT QUESTIONS

74. The Sub-Committee considered next a series of documents and reports related to financial and management questions, more particularly the Accounts of Voluntary Funds for the year 1993 (A/AC.96/829), the Report of the Board of Auditors on the UNHCR Accounts of Voluntary Funds for the period ending 31 December 1993 (A/AC.96/833) and document EC/1994/SC.2/CRP.26 which set out the measures taken or proposed by UNHCR in response to the recommendations of the Board of Auditors.

75. The Chairman, in introducing the agenda item, observed that the simultaneous presentation of the Auditors' Report and the related follow-up Report of UNHCR was a welcome and important step in assuring greater

transparency; he also noted that a further document, namely the comments of the ACABQ on the Board of Auditors Report (A/AC.96/833/Add.1), was not yet available.

76. To assist in the review of these documents the Director of UNHCR's Division of the Controller and Management Services made an introductory presentation. She summarized the main points relating to the accounts for 1993. Moreover, the Controller said that by presenting the document which detailed UNHCR's response to the Audit findings at the same time as the tabling of the Auditors' Report, UNHCR wished to indicate the seriousness with which it treated the findings, and the emphasis that had been placed on improving UNHCR's management practices and controls during recent years. UNHCR not only agreed with the findings, but was taking active steps to remedy the issues raised, in particular in relation to the six major areas of programme management, personnel management, procurement, insurance, cash management and budgetary control.

77. A number of delegations took the floor on this agenda item. One delegation spoke, in the context of assuring better programme management, of the need for UNHCR to rationalize and professionalize its relationship with implementing partners. The delegate cited a number of sections of the Auditors Report which supported her observations. She said that there was a need for UNHCR to be more open and systematic in relation to the selection, monitoring and assessment of implementing partners; in particular, it was necessary for UNHCR to establish norms in regard to the overhead costs of implementing partners and establish a contact point within UNHCR to deal specifically with NGOs on contract matters. The delegation called for a concrete response to the observations of these audit observations which would indicate what would be done and when it would be done. UNHCR's reputation would be the one to suffer if non-governmental organizations failed to implement its programmes properly. These comments were seconded by another delegation, which pointed out that a number of these issues had been raised in SCAF previously. A third delegation also made similar points. Several delegations also focused on the auditors comments on the levels of unobligated balances; in this context, the hope was expressed that UNHCR would continue to refine its budgetary techniques. UNHCR was also requested to continue to address the question of refugee registration, especially at a time of limited resources.

78. In response to these observations, the Controller spoke of a number of initiatives being taken by her Division and that of the Division of Programmes and Operational Support to assure a more professional relationship with implementing partners; she said that over the next six months concrete improvements should become noticeable, especially in relation to monitoring, audits etc. As regards unobligated balances, she recognized that there was a need for UNHCR to be able to forecast more accurately; she did point out,

however, that some 60 per cent of unobligated balances related to contributions in kind. The Controller also drew attention to the earlier comments of the Director of the Division of Programmes and Operational Support on steps taken to improve refugee registration.

VII. INTERNAL OVERSIGHT MECHANISMS

79. The next agenda item, item 4, dealt with Internal Oversight Mechanisms. The Sub-Committee had before it document EC/SC.2/70: Internal Oversight Mechanisms: Establishment of an Inspection and Evaluation Service.

80. The Chairman recalled that the proposal to establish an Inspector of Operational Activities had been considered by SCAF at its 19 May, 1 October, and 16 December 1993 meetings. The modified proposal that was now before the Sub-Committee in document EC/SC.2/70 was thus the culmination of nearly 18 months of reflection.

81. The Deputy High Commissioner was invited to speak to the agenda item. He placed the proposal against the background of the expansion and the changes which had taken place in the scale, nature and complexity of UNHCR's operations in recent years and the resultant need for constant review of its operational activities so as to assure better oversight and accountability.

82. A number of delegations intervened, welcoming the proposal. The initiative was seen as one way of ensuring, through a flexible and independent management tool, a more result-oriented, cost-effective UNHCR. One delegation commented on the combining of the inspection and evaluation functions. Another delegation asked that the modalities of the proposed Service be better defined, in particular its relationship to the newly created Office of Internal Oversight Services (OIOS) within the United Nations (General Assembly resolution 48/218 refers). One delegation wondered whether the scope of activities envisaged for the Service was too broad. Delegations asked that there be progress reports on the implementation of the proposed Service, in particular its interaction with the OIOS, with one delegation asking for a review no later than June 1995. Another delegation initially suggested that the Service be established for a trial period of two years.

83. In the ensuing discussion, it was agreed that the proposed Service would be created, with the staffing arrangements as set out in document EC/SC.2/70; a review of its functioning by the Sub-Committee would take place in 1995.

84. On the relationship of the Inspection and Evaluation Service of UNHCR with the OIOS the Deputy High Commissioner pointed out that the ACABQ had called for appropriate contact and coordination with the OIOS. He pointed out that the interaction and coordination between the OIOS and UNHCR would be much broader than the functions envisaged for the Inspection and Evaluation Service; for example, the internal audit of UNHCR would be undertaken by a

specially dedicated unit within the OIOS which would be funded by UNHCR. The Deputy High Commissioner also noted that the High Commissioner would soon be meeting with the newly appointed Under-Secretary-General for Internal Oversight Services.

85. In the course of the discussions of this agenda item, a number of delegations made comments specifically on evaluation activities. Evaluation activities should be planned as an ongoing facet of an operation, and not be simply undertaken at the end; the proposed Service should not lead to the evaluation function being side-lined as it is aimed at producing results and taking into account lessons learnt and introducing them into new activities. Several delegations made the point that the reports of such evaluations should be more comprehensive and be shared with other relevant actors, so that all may benefit from the lessons learnt. This approach would also be consistent with the goal of greater accountability.

VIII. OTHER BUSINESS

86. One delegation intervened to draw attention to the significance of the humanitarian response to the Rwanda crisis. In expressing appreciation of the sincerity of the High Commissioner in recognizing that the humanitarian crisis went beyond the capacity of UNHCR to deal with it and for the rapid, substantial and imaginative response of UNHCR to this crisis, the delegate went on to point out that the rather new and imaginative service-package approach, which helped provide the massive and substantial response in a rapid manner, required further refinement and improvement for use in future, comparable situations. The approach used in this crisis pointed to a new and different kind of relationship between UNHCR and its donors in addressing the challenges of complex emergencies. The delegate encouraged UNHCR to organize and convene an informal consultation on the lessons learnt from the response to the Rwanda emergency. Among the issues which could be addressed in such a consultation, the delegate noted the following:

- the size of the service-package requirements and the ability of the donors to respond;
- the definition of overall coordination responsibilities;
- the problem of horizontal coordination between donors providing support with identical service-packages;
- the problem of accountability for self-contained activities;
- the coordination of inputs mobilized through military structures on the one hand and resources channeled though non-military government institutions on the other;
- the implications of a service-package approach for the overall response of the United Nations.

This proposal was warmly welcomed by a number of delegations.

87. Another delegation noted that UNHCR had become a key organization in the international response to humanitarian emergencies. The resources that Member States currently provide UNHCR amount to over 40 per cent of their assistance through the United Nations for emergencies. The delegate went on to point out that when one took into account the valuable contributions of the World Food Programme (WFP) to emergencies and refugees, the two organizations accounted for over 85 per cent of the resources provided to the United Nations for emergencies. It was therefore incumbent on Member States to ensure that the capacity of UNHCR (and of WFP) was equal to the expectations and responsibilities placed on it by Member States.

88. In particular, this meant that the Executive Committee and SCAF needed to work actively over the coming year to enhance the capacity of UNHCR. The Delegate proposed that an early meeting be convened, preferably before the SCAF meeting in December 1994, to review all the issues that had to be addressed, to prioritize them, and to schedule the SCAF meetings accordingly. Among the issues that had been flagged during the Sub-Committee meeting, the delegate highlighted the following: financial planning and the financing of UNHCR; the relationship between General and Special Programmes; human resource issues, including training; emergency preparedness and response, including further ways to tap the capacities of national institutions and non-governmental organizations; and strengthening the policy capacity of UNHCR.

89. The need to strengthen further the international response to emergencies under the aegis of the United Nations Emergency Relief Coordinator was also raised by the same delegate. Some of the issues he felt needed to be addressed were:

- the imbalances in the capacity of different actors involved in emergency response;
- better definition of responsibilities between different agencies, particularly in countries of origin;
- improved linkages between the provision of emergency relief and rehabilitation/development assistance;
- more effective coverage of gaps in areas such as de-mining, demobilization, internally displaced and populations at risk.

It was proposed that before the forthcoming ECOSOC session, representatives of Member States of the Executive Committee, the CFA and the Boards of UNICEF and UNDP should meet; this meeting could be organized by the agencies members of the Inter-Agency Standing Committee under the leadership of DHA. The results of such a meeting would enable Member States take appropriate action in the relevant governing bodies of the different agencies.

90. The Chairman asked that these proposals be circulated in writing to the Members of the Sub-Committee for their consideration, possibly within the framework of the Friends of the Rapporteur.

91. The Controller gave a brief update on progress in relation to the new Headquarters Building. She said that UNHCR had been informed only very recently that there would be further delays in moving to the new building. While the date of the move to the new building was yet to be confirmed, UNHCR estimated that it would not be until January 1995; it was now making plans accordingly. This new building would accommodate some 70 per cent of UNHCR's staff; the remainder would be accommodated in a nearby building.

92. Before adjourning the meeting, the Chairman, in response to an intervention by a delegation, raised a number of issues related to the date of the next meeting of the Executive Committee, which would probably need to take place at a later date than usual.

93. The Sub-Committee expressed its appreciation of the excellent manner with which the Chair had directed its work over the year; the Chairman, in turn, thanked members for the constructive and friendly spirit which had reigned during the day's meeting.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session

REPORT OF THE SUB-COMMITTEE ON ADMINISTRATIVE AND FINANCIAL MATTERS

Corrigendum

1. Paragraph 57, last sentence:

The last sentence should read One delegation suggested that UNHCR study in depth the evaluation mechanisms criteria to assess the gender sensitivity of training programmes.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session

REPORT OF THE FORTY-FIFTH SESSION OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

(Geneva, 3 - 7 October 1994)

GE.94- 04170

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I. INTRODUCTION

A. Opening of the session

1. The Executive Committee of the High Commissioner's Programme held its forty-fifth session at the Palais des Nations at Geneva from 3 to 7 October 1994. The session was opened by the outgoing Chairman, His Excellency Mr. J.F. Boddens-Hosang (Netherlands), who began by welcoming Spain, the Executive Committee's newest member.

2. Ambassador Boddens-Hosang recalled that a number of delegations were in the process of applying for Executive Committee membership, or had expressed a desire to do so. He felt that it was important for those who had a "demonstrated interest in and devotion to the solution of the refugee problem" (General Assembly resolution 428(V)) to play their full role in discussions on policy matters. The outgoing Chairman noted that a number of States Members of the United Nations and specialized agencies enjoyed observer status in the Sub-Committees and informal meetings of the Executive Committee; a position which, in practice, did not differ greatly from that of official Member. Over the years, the Ambassador remarked, the Executive Committee had developed an impressive array of internationally accepted norms and principles for the protection of refugees and others of humanitarian concern.

3. The outgoing Chairman then commented on the functioning of the Executive Committee. At present, the plenary session of the Executive Committee involved some three days of general debate, while the decisions and conclusions of the Committee were broached in the Sub-Committees and negotiated during meetings of the Friends of the Rapporteur. Further thought, the Ambassador felt, had to be given to whether the present arrangements were the best way to address UNHCR's and the Executive Committee Members' needs and expectations.

4. Noting the difficult year that the Office had been through, notably as a consequence of developments in Rwanda, the Ambassador offered high praise for the staff of UNHCR. He recalled that during a year of working as Chairman of the Executive Committee, he had visited refugee camps in Kenya, Somalia and Uganda, and participated actively in the UNHCR non-governmental organization (NGO) Partnership in Action (PARINAC) process. In the course of these and other activities as Chairman, he had witnessed the great devotion of UNHCR staff at Headquarters and in the field. He expressed his appreciation to participants for having been able to serve as Chairman for the past year.

B. Election of officers

5. Under rule 10 of Rules of Procedure, the Committee elected the following officers by acclamation:

Chairman: Ambassador Ahmad Kamal (Pakistan)

Vice-Chairman: Ambassador Jakob Esper Larsen (Denmark)

Rapporteur: Mr. Msuya W. I. Mangachi (United Republic of Tanzania)

C. Representation of the Committee

6. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, Iran (Islamic Rep. of), Israel, Italy, Japan, Lesotho, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Venezuela, Zaire.

7. The Governments of the following States were present as observers:

Afghanistan, Angola, Armenia, Azerbaijan, Bangladesh, Benin, Bhutan, Botswana, Brunei Darussalam, Bulgaria, Burundi, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ghana, Guatemala, Honduras, Iceland, India, Indonesia, Iraq, Ireland, Jordan, Kenya, Kuwait, Latvia, Liberia, Lithuania, Malawi, Malaysia, Mauritania, Mauritius, Mexico, Mozambique, Myanmar, Oman, Nepal, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Ukraine, Uruguay, Viet Nam, Yemen, Zambia, and Zimbabwe.

The Sovereign Order of Malta was also represented by an observer.

8. The United Nations system was represented as follows:

United Nations Office at Geneva (UNOG), Centre for Human Rights, Department of Humanitarian Affairs (DHA), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Development Fund for Women (UNIFEM), United Nations Volunteers (UNV), United Nations Environment Programme (UNEP), United Nations Institute for Training and Research (UNITAR), United Nations Centre for Human Settlements (Habitat), United Nations Research Institute for Social Development (UNRISD), World Food Programme (WFP), International Labour Organisation (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), World Meteorological Organization (WMO), United Nations Industrial Development Organization (UNIDO).

9. The following intergovernmental organizations were represented by observers:

European Bank for Reconstruction and Development, European Commission, International Committee of the Red Cross, International Organization for Migration, League of Arab States, Organization of African Unity, Organization of the Islamic Conference.

10. A total of 130 non-governmental organizations were represented by observers.

D. Adoption of the agenda and other organizational matters

11. The Executive Committee adopted by consensus the following agenda (A/AC.96/823).

1. Opening of the session
2. Election of officers
3. Adoption of the agenda and other organizational matters
4. General debate
5. Programme, Administrative and Financial Matters
   (a) Review of UNHCR programmes financed by voluntary funds in 1993-1994 and of proposed programmes and budget for 1995
   (b) Status of contributions and overall financial requirements for 1993 and 1994
   (c) Administration and management
   (d) Adoption of 1995 General Programmes
6. Participation of Government Observer delegations
7. Consideration of the provisional agenda of the forty-sixth session of the Executive Committee
8. Any other business
9. Adoption of the draft report of the forty-fifth session
10. Closing of the session

E. Opening statement by the Chairman of the Executive Committee

12. Incoming Chairman His Excellency Ahmad Kamal (Pakistan) began by praising his predecessor's devotion and commitment, and by paying tribute to the High Commissioner, her staff, and to non-governmental organizations, whose workers were full partners in the humanitarian field. Evoking the memory of those who had lost their lives in the cause of duty, the Chairman then requested the Executive Committee to join him in a minute of silence.

13. The Chairman offered seven ideas on the challenge of adjusting to a new order still going through its birth pangs. The first involved more efficient prevention, especially to address the problems of victims of internal conflicts, actual or potential victims of the situation in States which have recently emerged from authoritarian rule, and citizens of developing countries in flight from inhuman poverty or socio-economic instability. The problem in Rwanda, which had persisted for several decades, was cited as an egregious example of a failure

to address root causes. A refugee, the Chairman maintained, is the helpless victim of the breakdown of the social contract, and blatant evidence of political or diplomatic failure at the regional or international level. The Chairman also mentioned the link between economic difficulties and political upheaval. Preventive work could be facilitated by the adoption of a containment strategy to identify points of tension or areas of potential conflict at a regional and global level.

14. The notion of a regional approach constituted the Chairman's second idea. While upholding the humanitarian nature of the High Commissioner's mandate, he stressed that the High Commissioner has a vested interest in peace and stability. He regretted that humanitarian action is being used to buy time for solutions which should have been sought before tragedy struck.

15. The third idea concerned the relief to development continuum, whose parameters, the Chairman felt, had to be clearly defined. It was thus incumbent upon the international community to provide the High Commissioner with the conceptual wherewithal to transform the pragmatic responses of UNHCR into an internationally recognized institutional framework. The Ambassador's fourth point centred on the role of non-governmental organizations, whose importance had been reiterated at the recent Partnership in Action (PARINAC) conference.

16. On the fifth topic, statelessness, the Chairman ventured that a global 'plan of action' to reduce statelessness would be both timely and desirable, and stressed the importance of helping newly independent States to avoid or mitigate this problem. Decentralization formed the subject of his next idea; in view of the exponential increase in the tasks and responsibilities assigned to the High Commissioner, restructuring in favour of a greater devolution of decision-making power to the field was imperative. The Ambassador's seventh thought concerned the need to strengthen the Office's policy formulation process with the best available professional expertise.

17. Ambassador Kamal concluded his remarks by suggesting some ways to improve the functioning of the Executive Committee, notably by reintroducing a regular agenda in addition to the general debate, and by setting up an open-ended group of donor and asylum States to meet in advance of the Sub-Committees to consider the inputs of Member States. The Executive Committee, the Chairman was sure, would have occasion to revisit some of his suggestions in the coming days and months.

II. WORK OF THE FORTY-FIFTH SESSION (Items 4 to 10)

18. The High Commissioner delivered an opening statement to the Executive Committee, which is reproduced in the annex to this report. Following this, Ms. Catherine Bertini, Executive Director of the World Food Programme, addressed the Executive Committee. The full account of the deliberations of the Committee, including the statements or other interventions made by delegations on all the agenda items of the meeting, as well as the closing statements by the Chairman and the High Commissioner, are contained in the summary records of the session.

III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE

A. Conclusions on International Protection

1. General Conclusion on International Protection

19. The Executive Committee,

(a) Expresses its deep concern over the immense human suffering and loss of life which have accompanied recent crises involving refugee flows and other forced displacement;

(b) Remains gravely preoccupied by the scale and complexity of current refugee problems, which have made more difficult the accomplishment of the High Commissioner's crucial functions of ensuring international protection for refugees and achieving timely and durable solutions to their plight;

(c) Reaffirms the importance of the 1951 Convention and 1967 Protocol relating to the Status of Refugees as the cornerstone of the international system for the protection of refugees, and underlines the role of the High Commissioner, pursuant to Articles 35 and II of these instruments, respectively, and to the Statute of her Office, in supervising their application;

(d) Welcomes the accession or succession to these instruments in the past year of Dominica, The Former Yugoslav Republic of Macedonia, and Tajikistan, bringing to 127 the number of States parties to one or both instruments, and, noting that the Member States of the United Nations now number 189, and in view of the global character of the refugee problem, urges States which are not yet parties to accede to these instruments, and all States to implement them fully;

(e) Warmly welcomes the demonstrated commitment of States to continue to receive and host refugees in cooperation with UNHCR, to provide them international protection;

(f) Deplores the fact that in certain situations refugees, as well as returnees and other persons of concern to UNHCR, have been subjected to armed attack, murder, rape and other violations of or threats to their personal security and other fundamental rights and that incidents of refoulement and denial of access to safety have occurred;

(g) Calls again upon States to uphold and strengthen asylum as an indispensable instrument for the international protection of refugees, to respect scrupulously the fundamental principle of non-refoulement, and to make every effort to ensure the safety and well-being of refugees within their jurisdiction;

(h) Stresses the importance of international solidarity and burden-sharing in reinforcing the protection of refugees, and calls upon all States to take an active part, in collaboration with UNHCR, in efforts to assist countries, in particular those with limited resources, that receive and care for large numbers of refugees and asylum-seekers;

(i) Reiterates the importance of ensuring access for all persons seeking international protection to fair and efficient procedures for the determination of refugee status or other mechanisms, as appropriate, to ensure that persons in need of international protection are identified and granted such protection;

(j) Recognizes that applications for asylum by large numbers of irregular migrants who are not in need of international protection continue to pose serious problems in certain regions, and reiterates in this connection its Conclusion No. 71 (XLIV) (1993), paragraphs j, k and l;

(k) Notes that a large number of those persons in need of international protection have been forced to flee or to remain outside their countries of origin as a result of danger to their life or freedom owing to situations of conflict;

(l) Recognizes that, while persons who are unable to return in safety to their countries of origin as a result of situations of conflict may or may not be considered refugees within the terms of the 1951 Convention and 1967 Protocol, depending on the particular circumstances, they nonetheless are often in need of international protection, humanitarian assistance and a solution to their plight;

(m) Recalls that UNHCR has often been requested by the United Nations General Assembly to extend protection and assistance to persons who have been forced to seek refuge outside their countries of origin as a result of situations of conflict, and encourages the High Commissioner to continue to provide international protection to such persons, and to seek solutions to the problems arising from their forced displacement, in accordance with relevant General Assembly resolutions, and calls upon all States to assist and support the High Commissioner's efforts in this regard;

(n) Recognizes that in Africa and Latin America, regional instruments provide for the protection of refugees fleeing armed conflict and civil strife, as well as those fearing persecution, and that in other regions, persons who require international protection, but who either are not considered refugees within the scope of the 1951 Convention and 1967 Protocol or are in countries that have not acceded to these instruments, have generally been provided protection and humanitarian assistance through specific measures adopted by States and in full cooperation with UNHCR;

(o) Recognizes the desirability of exploring further measures to ensure international protection to all who need it;

(p) Acknowledges the value of regional harmonization of national policies to ensure that persons who are in need of international protection actually receive it, and calls upon States to consult UNHCR at the regional level in achieving this objective;

(q) Encourages the High Commissioner to continue to promote international cooperation in providing international protection to all who require it, and to engage in further consultations and discussions concerning measures to achieve this objective, which might involve the elaboration of guiding principles, including for concerted action;

(r) Considers that temporary protection, which has been described by the High Commissioner in the context of the Comprehensive Response to the Humanitarian Crisis in the former Yugoslavia as including admission to safety, respect for basic human rights, protection against refoulement, and safe return when conditions permit to the country of origin, can be of value as a pragmatic and flexible method of affording international protection of a temporary nature in situations of conflict or persecution involving large scale outflows;

(s) Welcomes the further exploration by the High Commissioner, pursuant to Protection Conclusion (m) (1993), of temporary protection as an asylum strategy, in the context of addressing prevention, protection and solutions on a comprehensive regional basis, and looks forward to further discussions among interested Governments on this subject, including the duration of temporary protection;

(t) Notes that the beneficiaries of temporary protection may include both persons who qualify as refugees under the terms of the 1951 Convention and the 1967 Protocol and others who may not so qualify, and that in providing temporary protection States and UNHCR should not diminish the protection afforded to refugees under those instruments;

(u) Calls upon UNHCR, in close cooperation with the Governments concerned, to continue to coordinate and to provide guidance concerning the implementation of temporary protection and other forms of asylum oriented towards repatriation, in situations where return home is considered the most appropriate durable solution, including advice on voluntary repatriation and on safe return once the need for international protection has ceased;

(v) Reiterates that voluntary repatriation, when it is feasible, is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, UNHCR and the international community as a whole to do everything possible to enable refugees to exercise freely their right to return home in safety and dignity;

(w) Notes that numerous obstacles to voluntary repatriation have been encountered, including threats to the safety of repatriating refugees both in countries of asylum and countries of origin and the persistence or recrudescence of conditions causing refugee flight;

(x) Stresses in this connection the responsibilities of States of origin to readmit their nationals and to ensure their safety and welfare, and of countries of asylum to provide for the security and safeguard the fundamental rights of refugees, and calls upon the international community to assist States to discharge these responsibilities with respect to refugees and returnees;

(y) Reaffirms its Conclusions Nos. 18(XXXI) (1980) and 40(XXXVI) of 1985 on voluntary repatriation, and underscores the leading role of UNHCR in promoting, facilitating, and coordinating voluntary repatriation of refugees, in cooperation with States concerned, including ensuring that international protection continues to be extended to those in need until such time as they can

return in safety and dignity to their country of origin, assisting, where needed, the return and reintegration of repatriating refugees and monitoring their safety and well-being upon return;

(z) Acknowledges the usefulness, in appropriate circumstances, of visits by representatives of the countries of origin to refugee camps in countries of asylum within the framework of information campaigns to promote voluntary repatriation, and requests UNHCR, in cooperation with the countries of asylum concerned, to facilitate such visits;

(aa) Recognizes that for repatriation to be a sustainable and thus truly durable solution to refugee problems it is essential that the need for rehabilitation, reconstruction, and national reconciliation be addressed in a comprehensive and effective manner, and calls upon the international community to continue to support the High Commissioner's efforts to promote comprehensive and regional approaches to prevention, protection and solutions in consultation with States and the relevant international, regional and national governmental and non-governmental bodies, as appropriate;

(bb) Reaffirms the continued importance of resettlement as an instrument of protection and its use as a durable solution in specific circumstances;

(cc) Emphasizes the need, particularly in complex emergencies that include humanitarian and peace-keeping operations, to ensure respect for the High Commissioner's protection mandate and to preserve the impartial and purely humanitarian nature of UNHCR activities;

(dd) Reiterates its support for the High Commissioner's activities for internally displaced persons in accordance with General Assembly resolution 48/116 (1993) and expresses its appreciation for the detailed and productive discussions that have been held within the Sub-Committee of the Whole on International Protection and in other fora concerning ways in which the international community can better address the protection and assistance needs of the displaced;

(ee) Notes with concern the persistent problems of stateless persons in various regions and the emergence of new situations of statelessness, and, acknowledging the responsibilities already entrusted to the High Commissioner by the United Nations General Assembly with respect to the prevention of statelessness (General Assembly resolution 3274 (XXIX)), calls upon UNHCR to strengthen its efforts in this domain, including promoting accessions to the Convention relating to the Reduction of Statelessness and the Convention relating to the Status of Stateless Persons, training for UNHCR staff and government officials, and a systematic gathering of information on the dimension of the problem, and to keep the Executive Committee informed of these activities;

(ff) Calls on the High Commissioner to ensure UNHCR's active participation in the 1995 World Conference on Women and its Regional Preparatory Conferences in order that the situation of refugee women remain high on the international agenda of women's issues;

(gg) Urges UNHCR, in cooperation with Governments, other United Nations and international and non-governmental organizations, especially UNICEF and ICRC, to continue its efforts to give special attention to the needs of refugee children, ensuring, in particular, that arrangements are made for their immediate and long-term care, including health, nutrition and education, and, in the case of children who are separated from their families, for prompt registration, tracing and family reunion;

(hh) Calls upon States hosting refugees, in close collaboration with UNHCR and other relevant organizations, and consistent with the UNHCR Guidelines on Refugee Children, to safeguard the security of refugee children and to ensure that they are not recruited into the military or other armed groups;

(ii) Notes with distress the injury and loss of life caused to refugees and returnees, including women and children who are maimed and incapacitated in large numbers, by the indiscriminate use of land-mines, as well as the harmful and long-term impact of these weapons on the voluntary repatriation, rehabilitation, and resumption of normal lives of millions of refugees and displaced persons, and endorses the High Commissioner's efforts to further international efforts to reduce or eliminate the threat that land-mines pose to them;

(jj) Recognizes the importance of ensuring access to current and reliable information on involuntary displacements in the interests of promoting solutions at all levels of the refugee situation and reaffirms support for the High Commissioner's continuing effort in this regard to develop an information policy and databases capable of addressing new challenges with relevant information sources;

(kk) Notes with satisfaction UNHCR's activities with regard to the promotion and dissemination of refugee law and protection principles and calls upon the High Commissioner to continue to expand and strengthen the Office's promotion and training activities, with the active support of States and through increased cooperation with human rights organizations, academic institutions, including the International Institute of Humanitarian Law (San Remo), and other relevant organizations within and outside the United Nations system;

(ll) Welcomes the High Commissioner's growing cooperation with the High Commissioner for Human Rights and her continued cooperation with the Centre for Human Rights and calls on UNHCR to continue its active involvement and cooperation with the Commission on Human Rights;

(mm) Recognizes the continuing usefulness of inter-sessional meetings of the Sub-Committee of the Whole on International Protection and requests the High Commissioner to convene at least one such meeting to consider current protection issues and to report on progress in the deliberations of the Committee at its forty-sixth session.

2. Conclusion on Internally Displaced Persons

20. The Executive Committee,

(a) Recognizes that the involuntary displacement of persons within their own countries is a problem of global dimensions, and that the plight of such internally displaced persons, whose numbers may exceed those of refugees, is a matter of grave humanitarian concern;

(b) Notes that the many and varied underlying causes of involuntary internal displacement and of refugee movements are often similar, and that the problems of both refugees and the internally displaced often call for similar measures with respect to prevention, protection, humanitarian assistance, and solutions;

(c) Reiterates the need for the international community to seek ways and means to avert involuntary displacements;

(d) Emphasizes that since internally displaced persons remain within the territorial jurisdiction of their own countries, the primary responsibility for their welfare and protection lies with the State concerned;

(e) Urges the Governments of States where there are internally displaced persons to fulfil their responsibility for their welfare and protection;

(f) Calls upon the international community, in appropriate circumstances, to provide timely and speedy humanitarian assistance and support to countries affected by internal displacement to help them fulfil their responsibility towards the displaced;

(g) Notes that, in many instances, the internally displaced are present alongside refugees, returnees, or a vulnerable local population, in situations where it is neither reasonable nor feasible to treat the categories differently in responding to their needs for assistance and protection;

(h) Recognizes that actions by the international community, in consultation and coordination with the concerned State, on behalf of the internally displaced may contribute to the easing of tensions and the resolution of problems resulting in displacement, and constitute important components of a comprehensive approach to the prevention and solution of refugee problems;

(i) Calls on the Governments concerned to ensure safe and timely humanitarian access to persons in need of protection and assistance, including the internally displaced and victims of armed conflict, as well as refugees within their territories;

(j) Recognizes that resolution 48/116, adopted by the United Nations General Assembly on 20 December 1993, which reaffirmed support for the High Commissioner's efforts, "on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, and taking into account the complementarities of mandates and expertise of other relevant organizations, in

providing humanitarian assistance and protection to persons displaced within their own country in situations calling for the Office's particular expertise, especially where such efforts could contribute to the prevention or solution of refugee problems", continues to provide an appropriate framework for the involvement of the High Commissioner in situations of internal displacement;

(k) Encourages the High Commissioner to continue the efforts of her Office to put into action its internal criteria and guidelines for UNHCR involvement in situations of internal displacement, as an important contribution towards a more concerted response by the international community to the needs of the internally displaced;

(l) Emphasizes that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

(m) Recognizes that international human rights law, international humanitarian law, and, in many cases, national laws include norms providing for the security and protection of the internally displaced as well as those at risk of displacement, and expressed serious concern at the failure of parties involved to respect these norms;

(n) Acknowledges the importance of the work of the Representative of the Secretary-General for Internally Displaced Persons and, in particular, his efforts to compile existing international standards in respect of the treatment of the internally displaced, and to develop a code of conduct comprising guiding principles in this regard;

(o) Calls on UNHCR to continue its close cooperation with the Representative of the Secretary-General in the fulfilment of his mandate;

(p) Further acknowledges the essential role of the International Committee of the Red Cross in disseminating international humanitarian law and in providing protection and humanitarian assistance to those displaced by armed conflict;

(q) Calls for the strengthening of efforts in the training and dissemination of international human rights law and international humanitarian law and for the joint promotion, by organizations and agencies concerned, of the implementation of these international standards;

(r) Considers that, in addressing the problem of internal displacement, the international community should seek to collaborate to the maximum possible extent with existing humanitarian organizations, including non-governmental organizations, with relevant expertise;

(s) Encourages UNHCR to continue its efforts, under the leadership of the Emergency Relief Coordinator, and in cooperation with other agencies concerned, to reinforce and structure coordination through existing interagency mechanisms, notably the Interagency Standing Committee, in order to improve the response by the international community to the plight of the internally displaced, and stresses the importance in this connection of strengthening mechanisms for the sharing of information;

(t) Urges that discussions on interagency aspects of internal displacement be pursued actively in other appropriate fora so as to ensure a comprehensive and coherent approach by the international community to the problem of internally displaced persons.

3. Conclusion on the Recommendations of the OAU/UNHCR Commemorative Symposium on Refugees and Forced Population Displacements in Africa

21. The Executive Committee,

Recalling its Conclusion on International Protection of 1993, in which it, inter alia, looked forward to events commemorating the twenty-fifth anniversary of the adoption by the Organization of African Unity of the OAU Convention governing the specific aspects of refugee problems in Africa and encouraged UNHCR to participate actively in its commemoration (A/AC.96/821, para. 19 (o)),

(a) Takes note with satisfaction of the activities which have been carried out in commemoration of the twenty-fifth anniversary of the adoption, and the twentieth year of the entry into force, of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa;

(b) Congratulates the High Commissioner and the Organization of African Unity upon having successfully organized jointly the OAU/UNHCR Symposium on Refugees and Forced Population Displacements in Africa, which was held in Addis Ababa, Ethiopia, from 8 to 10 September 1994, as one of the commemorative activities;

(c) Welcomes the recommendations adopted by the above-mentioned Symposium as an important contribution to the framework for tackling the problems and challenges of forced population displacements in Africa in general; providing asylum, protection and assistance to refugees and other victims of forced displacements; as well as for finding the necessary solutions for these problems;

(d) Commends the recommendations to the relevant States, and intergovernmental and non-governmental organizations for consideration and implementation as necessary;

(e) Requests the High Commissioner, in close collaboration with the relevant States and intergovernmental and non-governmental organizations, most particularly the Organization of African Unity, to disseminate the recommendations widely, promote as necessary their implementation, and keep the Executive Committee informed of progress in this regard.

B. Conclusions on Refugee Women and Refugee Children

1. Conclusion on the Recommendations of the Working Group: Refugee Women

22. **The Executive Committee,**

Having considered the Progress Report on the Situation of Refugee Women and Refugee Children and Financial Implications of the Recommendations of the Working Group on Refugee Women and Refugee Children (EC/1994/SC.2/CRP.23/Rev.1), and reaffirming previous conclusions dealing with the protection of and assistance to refugee women,

Noting the need for thorough preparation by UNHCR for the fourth World Conference on Women which will take place in September 1995, including the effective involvement of refugee women,

Noting with concern that field level implementation of the Policy and Guidelines on the Protection of Refugee Women continues to be limited, and recognizing the need to further sensitize humanitarian staff to the situation of refugee women,

Underlining the importance of activities directed towards the empowerment of refugee women,

(a) Commends the initiatives taken by the High Commissioner and, emphasizing staff accountability, encourages further efforts to ensure that the Policy on Refugee Women is actively applied in programme implementation;

(b) Urges the High Commissioner to undertake initiatives for refugee women in the areas of leadership and skills training, legal awareness, and education; and in particular in the area of reproductive health, with full respect for the various religious and ethical values and cultural backgrounds of the refugees, in conformity with universally recognized international human rights and the UNHCR Guidelines on the Protection of Refugee Women;

(c) Requests the High Commissioner to establish closer linkages with international organizations, including the International Committee of the Red Cross, to address issues related to women victims of armed conflict;

(d) Requests the High Commissioner to undertake a result-based evaluation of the Women Victims of Violence project in Kenya and to present the evaluation report to the Sub-Committee on Administrative and Financial Matters;

(e) Reaffirms that socio-economic knowledge of the target population is critical to efficient programme design, and encourages further expansion of People-Oriented Planning Training (POP), its integration into other UNHCR training initiatives, as well as the involvement of local non-governmental organizations in affected countries;

(f) Requests the High Commissioner to report on the representation by level and distribution of female protection and field staff at a 1995 meeting of the Sub-Committee on Administrative and Financial Matters;

(g) Requests the High Commissioner to provide a report at the forty-sixth session of the Executive Committee on the implementation of the Working Group's recommendations relating to refugee women, and UNHCR activities for the World Conference on Women.

2. Conclusion on Refugee Children

23. The Executive Committee,

Expressing appreciation for the revised Guidelines on Refugee Children and the collaborative spirit in which they have been developed;

Stressing that educational programmes for refugee children contribute enormously to their well-being and towards finding a durable solution for them,

Noting with concern that the majority of refugee children do not receive the education to which they are entitled,

Noting with appreciation progress made in the registration of refugees in emergencies and, as part of this, the early identification of unaccompanied children and follow-up of their needs,

Commending the Joint Statement on the Evacuation of Unaccompanied Children from Rwanda issued in conjunction with the International Committee of the Red Cross, the United Nations Children's Fund, and the International Federation of Red Cross and Red Crescent Societies,

Noting with satisfaction the work being done by UNHCR, and other United Nations and international bodies to strengthen the protection afforded by international humanitarian law for children who are victims of armed conflict,

Welcoming UNHCR's active participation, with particular reference to the protection of refugee children, in the Study on the Impact of Armed Conflict on Children to be undertaken by the Expert appointed pursuant to General Assembly resolution 48/157 (1993),

(a) Urges UNHCR, in cooperation with Governments, other United Nations bodies, and intergovernmental and non-governmental organizations, to continue and intensify efforts to respond to the needs of refugee children, particularly unaccompanied children;

(b) Supports efforts to enhance the implementation of the Guidelines on Refugee Children, in particular, the integration of refugee children's issues into the training of UNHCR staff as well as their implementing partners, and the creation of a Regional Support Unit for Refugee Children;

(c) Reaffirms the calls made in Decision 33 (d) (1992) (A/AC.96/804) for the basic education needs of refugee children to be better addressed, and

requests the High Commissioner to continue her efforts to give higher priority to the education of all refugee children, ensuring equal access for girls, giving due regard to the curriculum of the country of origin;

(d) Urges UNHCR to identify educational requirements in the early stages of an emergency so that prompt attention may be given to such needs;

(e) Welcomes the early deployment of community services officers in emergencies, as a means of identifying and addressing refugee children's needs;

(f) Encourages UNHCR, in collaboration with the World Food Programme, to intensify its efforts to prevent gaps in the timely provision of balanced food, which seriously affect the nutritional status of vulnerable groups, especially children;

(g) Stresses that, where evacuation of children is necessary in order to save lives, all possibilities of bringing them to neighbouring countries should be explored before consideration is given to taking them to more distant countries;

(h) Expresses concern that, despite the development of a united inter-agency position on the evacuation of children from situations of armed conflict, some evacuations continue to be undertaken in an irregular manner, without adequate registration and documentation, thus reducing the possibilities of reuniting such children with their families;

(i) Requests that a progress report on the implementation of the UNHCR Policy on Refugee Children and of the related Guidelines be presented to its forty-sixth session.

C. Decisions on Programme, Administrative and Financial Matters

1. General Decision on Programme, Administrative and Financial Matters

24. The Executive Committee,

Having reviewed the information contained in the document entitled UNHCR Activities Financed by Voluntary Funds: Report for 1993-1994 and Proposed Programmes and Budget for 1995 (document A/AC.96/825, Parts I-VI); the Overview of UNHCR Activities: Humanitarian Assistance Policy, Programmes, Administration and Financial Matters: 1993-1995 (A/AC.96/824); the Update on Programmes and Funding (EC/1994/SC.2/CRP.25); and the Note on UNHCR Evaluation Activities (A/AC.96/827),

Having taken note of the document entitled Voluntary Funds administered by the United Nations High Commissioner for Refugees: Accounts for the Year 1993 (A/AC.96/829) and the Report of the Board of Auditors thereon (A/AC.96/833),

Welcoming the Report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on UNHCR Activities financed from Voluntary Funds: Report for 1993-1994 and Proposed Budget for 1995 (A/AC.96/834),

Noting the Progress Report on the Situation of Refugee Women and refugee Children and Financial Implications of the Recommendations of the Working Group on Refugee Women and Refugee Children (EC/1994/SC.2/CRP.23/Rev.1), Refugees and the Environment (EC/1994/SC.2/CRP.24), and the information notes on the Education Account (EC/SC.2/69) and Internal Oversight Mechanisms: Director of Inspection and Evaluation (EC/SC.2/70),

(a) Notes that the current proposed estimates for 1995, based on needs known at this stage, under both General and Special programmes, amount to some $ 1,133,291,900;

(b) Approves the country and area programmes and the Headquarters and Other Programmes for the revised 1994 General Programmes which remain at $ 418,523,000 (including $ 25,000,000 for the Emergency Fund and $ 20,000,000 for the General Allocation for Voluntary Repatriation) as contained in document A/AC.96/825 (Parts I-VI), and as shown in the document (column 5) at Annex 1 to document A/AC.96/824;

(c) Approves the country and area programmes, and the Headquarters and Other Programmes for the 1995 General Programmes amounting to $ 415,413.000 (including $ 25,000,000 for the Emergency Fund and $ 20,000,000 for the General Allocation for Voluntary Repatriation) as contained in document A/AC.96/825 (Parts I-VI), and as shown in the document (column 8) at Annex 1 to document A/AC.96/824;

(d) Calls on UNHCR to present to an early session in 1995 of the Sub-Committee on Administrative and Financial Matters an update on 1995 programme needs which takes into account especially developments in refugee situations and additional initiatives which need to be taken to give effect to programmatic priorities adopted by the Executive Committee;

(e) Authorizes the High Commissioner to effect such adjustments in projects, country or area programmes, and the Headquarters and Other Programmes, as may be required by changes affecting the refugee or returnee programmes for which they were planned, using the General Programmes Reserve where necessary, and to report such adjustments to the Executive Committee at its forty-sixth session;

(f) Approves the transfer of an additional amount of $ 250,000 from the 1994 Programme Reserve and an amount of up to $ 500,000 from the 1995 Programme Reserve to the Fund for International Staff Housing and Basic Amenities;

(g) Endorses, with a view to integrating fully the needs of refugee women and refugee children into UNHCR's regular programming, whether under General or Special Programmes, and welcomes UNHCR's initial identification of the special initiatives set out in the Report on the Situation of Refugee Women and Refugee Children and Financial Implications of the Working Group on Refugee Women and Refugee Children (EC/1994/SC.2/CRP.23/Rev.1), and referred to in paragraph 58 of

the Report of the 29 September 1994 meeting of the Sub-Committee on Administrative and Financial Matters (A/AC.96/838); the costs associated with these initial steps will be accommodated within the 1995 General Programme Budget;

(h) Requests UNHCR to undertake a lessons learnt exercise which includes the convening of an informal consultation on the response, both in Headquarters and in the field, to the Rwanda emergency; this exercise, led by UNHCR, should involve relevant United Nations agencies and departments, Governments and implementing agencies, and should address, inter alia, the issues set out in paragraphs 38 and 86 of document A/AC.96/838;

(i) Requests the Office of the High Commissioner to examine, in close collaboration with the members of the Executive Committee, the relationship between the current budget structure of General Programme budgets and Special Programme budgets, and the recognized need for improved transparency, efficiency, flexibility and accurate targeting in programme implementation as well as enhanced oversight, financial planning and effective fund raising and to report to the Sub-Committee on Administrative and Financial Matters at an early date;

(j) Requests the Office of the High Commissioner to continue to improve its programme management practices, particularly with respect to the procedures governing its relationship with its implementing partners;

(k) Calls on UNHCR representatives to follow carefully the Guidelines determined for the preparation and establishment of country/area programme submissions, which should reflect consultations with host Governments and other relevant authorities as well as implementing partners, so that the High Commissioner has available to her a clear presentation of the Office's priorities for a given country/area, given the extent of refugee/returnee needs in that country/area;

(l) Endorses the reclassification of the Post of the Director of the Division of Programmes and Operational Support to the D-2 level;

(m) Approves the creation of a post, at the D-2 level, of the Director of Inspection and Evaluation Services (the Inspector).

2. Conclusion on Refugees and the Environment

25. The Executive Committee,

(a) Welcomes the formulation of the interim environmental guidelines and other measures to promote UNHCR's systematic approach to environmental matters;

(b) Requests the High Commissioner to formulate and promote refugee-related environmental projects in collaboration with host Governments, donors, international and national non-governmental organizations, other organizations, and with the refugees themselves, so as to mitigate the adverse impact on the environment of host countries;

(c) Asks the High Commissioner to keep under review the financial implications of the interim guidelines and report on the elaboration of definitive guidelines, and on activities carried out in the field.

3. Conclusion on the Continuum from Relief to Rehabilitation and Development

26. The Executive Committee,

Concerned about the need for further progress by the United Nations system in addressing in a coherent and mutually supportive manner humanitarian assistance, rehabilitation and development in countries of origin,

Recognizing the role of the Emergency Relief Coordinator in facilitating comprehensive responses to complex emergencies through the Inter-Agency Standing Committee and other mechanisms,

Noting the interdependence of UNHCR's humanitarian activities and its mandate responsibility to facilitate solutions to refugee problems with comprehensive approaches to conflict-resolution and post-conflict development,

Welcoming the High Commissioner's endeavours to apply regional approaches to refugee problems starting from the emergency phase of an operation and taking into account the affected countries of asylum as well as the country of origin facilitating viable and early solutions to the problems of displacement,

(a) Encourages the High Commissioner to proceed with the implementation of the Policy and Methodological Framework for quick impact projects (QIPs) and to pursue the development of assistance strategies, operational mechanisms and collaborative arrangements which will enhance the capacity of the Office to support voluntary repatriation and a sustainable reintegration of the returnees in their countries;

(b) Requests the High Commissioner to promote a smooth, mutually supportive interface between humanitarian assistance and development programmes through inter-agency cooperation, including multilateral, bilateral and non-governmental actors at the level of the country of origin;

(c) Calls on the High Commissioner to support the preparation of, and to participate actively in, the discussion on humanitarian assistance activities, particularly at the session of the Economic and Social Council (ECOSOC) in 1995, with a view to promoting an improved complementarity of roles and responsibilities in finding comprehensive solutions to complex emergencies within the United Nations System;

(d) Requests the High Commissioner to report on progress on matters pertaining to assistance policies and strategies for the promotion of durable solutions to the Sub-Committee on Administrative and Financial Matters.

4. Conclusion on UNHCR's Career Management System

27. **The Executive Committee,**

Having considered the Progress Report on the Implementation of UNHCR's Career Management System's (CMS) project,

Noting the comments of Sub-Committee on Administrative and Financial Matters regarding the need for strong support and involvement of UNHCR's Senior Management, for dialogue and cooperation among Executive Committee members, staff representatives and UNHCR management as well as the integration of the CMS and other major organizational initiatives such as the Working Group on Programme Management and Operational capacity within the framework of a well-defined strategy,

Recalling, within the context of UNHCR's overall Human Resources Management strategy (EC/1994/SC.2/CRP.20), the description of the CMS project, which is composed of four elements, namely, a competency management system which defines core competencies for major job groupings; an objective performance appraisal process; a career development component; and extensive managerial training,

Also recalling that the High Commissioner's ultimate goal, expressed in her opening address to the forty-fourth session, is to create an institutional culture where effective performance, efficiency and accountability are prized objectives and that the attainment of this goal is linked to better human resources management (A/AC.96/821),

Reiterating the importance of a comprehensive approach to human resources management, so that UNHCR develops, at all levels of the organization, the managerial competencies needed to ensure that the organization can respond to future emerging humanitarian challenges,

(a) Commends the High Commissioner for progress made in implementing the CMS project;

(b) Urges UNHCR to integrate the project with other key UNHCR initiatives to improve program delivery and to take steps to involve Executive Committee members together with staff and their representatives and members of UNHCR management;

(c) Urges the High Commissioner to ensure continuation of strong support and involvement of senior management and direct dialogue between all participants;

(d) Requests the High Commissioner to keep the Executive Committee members fully informed of project progress through a presentation to the Sub-Committee on Administrative and Financial Matters early in 1995, and by continuing to encourage members to put forth their ideas and make available the experience gained by their national institutions in implementing similar projects.

5. Conclusion on the Security of UNHCR Staff

28. **The Executive Committee,**

Noting with alarm the high levels of danger and insecurity in many areas in which UNHCR staff and the staff of UNHCR implementing partners are carrying out their humanitarian duties,

(a) Notes with profound regret the deaths of international and local UNHCR staff as a consequence of violent events in several countries around the world;

(b) Appreciates the work of the UNHCR Field Staff Safety Section in the Division of Human Resources Management as well as the work of Field Staff Safety Officers in field duty stations;

(c) Welcomes the close cooperation between UNHCR, other United Nations organizations and programmes and specialized agencies with staff in dangerous field locations, and the United Nations Security Coordinator;

(d) Welcomes the initiative of UNHCR to organize a security training workshop open to staff of other United Nations organizations and programmes and specialized agencies as well as the staff of non-governmental organizations;

(e) Supports the High Commissioner in her efforts to improve the security situation of UNHCR staff, and staff of UNHCR implementing partners, engaged in humanitarian operations throughout the world;

(f) Welcomes the initiatives of the General Assembly in its resolution 48/37 to conclude a draft Convention on the Safety and Security of United Nations Staff and Associated Personnel;

(g) Expresses its strong hope that the Convention will extend the necessary protection to all staff involved in humanitarian operations of UNHCR,

D. Other Matters

1. Conclusion on the Situation of Refugees, Returnees and Displaced Persons in Africa

29. **The Executive Committee,**

Having considered the overall situation of refugees, returnees and internally displaced persons in Africa,

(a) Notes with concern that underdevelopment, internal conflicts, human rights violations and the breakdown of law and order continue to precipitate and cause refugee outflows and internal displacement of persons in some countries;

(b) Equally notes with concern that access to and delivery of protection and humanitarian assistance to refugees, returnees and the internally displaced continues to be impeded;

(c) Calls upon the High Commissioner, in concert with States, other parties, the United Nations system, regional organizations and non-governmental organizations, to address the root causes of displacements in order to attain durable solutions for the refugee problem and to avert refugee outflows through early warning mechanisms and action in a timely manner through bilateral and multilateral preventive diplomacy; welcomes in this respect the role played by OAU's mechanism for conflict prevention, management and resolution;

(d) Requests UNHCR in close cooperation with the Organization of African Unity to explore the feasibility of convening regional and sub-regional conferences to address the growing problems of African refugees and develop comprehensive plans of action for humanitarian assistance and appropriate durable solutions;

(e) Notes with appreciation that African States continue to host and to admit refugees in their territories and to practise generous asylum policies, complemented by sacrifices and generosity on the part of their respective citizens despite resource limitations, overstretched social services and adverse environmental consequences caused by sudden, massive influxes and long stays of refugees in countries of asylum;

(f) Notes with grave concern the existence of specific national policies or practices which have a negative impact on the dignity, security or safety of the refugees or which produce refugee outflows or refugee-like situations; and also notes UNHCR's efforts to protect, assist and find solutions for refugees, and, in this respect, calls upon the relevant States to take the necessary measures to address and remedy these impediments;

(g) Welcomes the prospects for voluntary repatriation and durable solutions across the continent and expresses appreciation to the High Commissioner and other parties for their ongoing successful efforts to promote and facilitate the voluntary repatriation and reintegration of Mozambican refugees;

(h) Urges the High Commissioner to continue these exemplary initiatives, as appropriate;

(i) Appeals to Governments, United Nations agencies, non-governmental organizations and the international community to overcome the obstacles to successful implementation of voluntary repatriation and reintegration of refugees in all these instances;

(j) Expresses appreciation to the High Commissioner for her remarkable efforts to mobilize resources and support from Governments and the international community as a whole in responding to an unprecedented complex emergency resulting from the sudden and massive influx of Rwandese refugees to four neighbouring countries;

(k) Expresses gratitude to the neighbouring countries, Governments and other parties who promptly supported the High Commissioner's efforts;

(l) Calls upon Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen UNHCR's emergency response capacity based on the Rwanda emergency experience and to continue providing needed resources and operational support to assist Rwandese refugees and the host countries until a permanent solution can be implemented;

(m) Welcomes initiatives and measures being taken by the United Nations Secretary-General in concert with the Organization of African Unity (OAU) and Governments in the region to ensure the security and safety of refugees and relief workers in the camps by removing coercive elements from the camps, the removal of which will allow the refugees to make free and voluntary decisions regarding their return when conditions inside Rwanda permit;

(n) Expresses its concern with the unsatisfactory security situation in the refugee camps and inside Rwanda which delay the return of refugees and calls upon the parties concerned to adopt appropriate and constructive measures to improve the security conditions inside and outside Rwanda in order to permit voluntary repatriation in safety and dignity at the earliest possible opportunity;

(o) Emphasizes the need for a structured and coordinated action by all parties to assist the Government of Rwanda in the rehabilitation, reconstruction and normalization of civil society in Rwanda and to complement UNHCR repatriation related activities, in this context UNHCR should continue to play an active role in the establishment together with the OAU of a joint Repatriation Commission and Tripartite Agreements for voluntary repatriation when conditions permit;

(p) Appeals to the international community to follow closely the evolution of the general situation in Burundi, Liberia and Sierra Leone and support all political efforts currently being undertaken to normalize the present delicate situation;

(q) Calls upon the High Commissioner to continue to provide assistance in a timely and effective manner for Burundi returnees and Rwandese refugees in Burundi in order to avoid the creation of additional problems to an already fragile situation;

(r) Further calls upon the international donor community to provide material and financial assistance for the implementation of programmes, intended for the rehabilitation of the environment and infrastructure in refugee impacted areas in countries of asylum;

(s) Calls upon Member States, and intergovernmental and non-governmental organizations to continue to provide the necessary support and financial assistance to the High Commissioner to enhance her capacities and abilities to implement emergency operations, care and maintenance activities, and repatriation and reintegration programmes for the benefit of refugees, returnees and, as appropriate, certain groups of internally displaced persons;

(t) In this regard expresses concern over the long stay of refugees in certain African countries and calls upon the High Commissioner to intensify efforts to find durable solutions for these populations;

(u) Requests the High Commissioner to review her General Programmes in Africa, taking into account the increasing requirements in that region.

2. Conclusion on the International Conference on Central American Refugees

30. The Executive Committee,

Recalling the contribution made by the International Conference on Central American Refugees (CIREFCA), throughout its duration, from May 1989 to June 1994, to the initiative of the Central American Presidents expressed in the Procedures for the Establishment of a Firm and Lasting Peace in Central America, signed at the Esquipulas II summit meeting on 7 August 1987,

Recognizing the importance of the Declaration and the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, adopted at the International Conference on Central American Refugees held at Guatemala City from 29 to 31 May 1989, and the Declarations of the First and Second International Meetings of the Follow-up Committee of the Conference,

Noting with satisfaction the efforts made, throughout the five-year duration of the CIREFCA Concerted Plan of Action, by the Central American countries, Belize and Mexico, to find lasting solutions to the problems of refugees, returnees and displaced persons, in accordance with respect for fundamental principles of International Protection and human rights,

Recalling the importance attached by the Executive Committee to the specific incorporation of the needs of refugees, returnees and displaced populations into UNDP's post-CIREFCA strategy and the request addressed by the Executive Committee, at its forty-fourth session, to both UNHCR and UNDP to jointly convene an informal technical meeting, prior to the conclusion of the process, to enable consultations with all parties, in this respect,

Taking into account the outcome of the Third and final International Meeting of the CIREFCA Follow-up Committee, held in Mexico City on 28 and 29 June 1994, and the Declaration of Commitments, adopted by consensus by the international community, on that occasion,

Welcoming the deployment of the Mission for the Verification of Human Rights in Guatemala (MINUGUA) and the Agreement on the Reintegration of Populations Uprooted by the Armed Confrontation signed in June 1994 within the framework of the Guatemalan peace process, as a crucial step towards conclusion of a peace agreement in Guatemala, on which resolution of the situation of uprooted populations in this country depends,

Expressing appreciation for the firm political, technical and financial support provided by the international donor community in favour of durable solutions for uprooted Central Americans, throughout CIREFCA,

Expressing appreciation also for the invaluable contribution of non-governmental organizations in the implementation of the CIREFCA Concerted Plan of Action,

Reiterating the firm conviction that peace, development, democracy and respect for fundamental human rights are essential in order to resolve the problems of uprooted populations in the region,

(a) Takes note of the report on the conclusion of the CIREFCA process, entitled Consolidating Peace in Central America Through an Inter-Agency Approach to Longer-term Needs of the Uprooted (A/AC.96/831), submitted by the High Commissioner to the forty-fifth session of the Executive Committee;

(b) Fully endorses the Framework for Action in Favour of Populations and Areas Most Affected by Extreme Poverty, Conflict and Displacement and the Declaration of Commitments adopted at the Third and final Meeting of the CIREFCA Follow-up Committee, as an appropriate strategy for the post-CIREFCA period which fully reflects the concerns expressed by the Executive Committee, at its forty-fourth session, in relation to uprooted populations in Central America;

(c) Reaffirms its strong support to the efforts being undertaken by the five Central American countries (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua), Belize and Mexico, with the aim of consolidating peace in Central America, to ensure full implementation of the commitments made in Mexico City on 29 June 1994, including, in particular, initiation of sustainable human development programmes in the identified priority areas where human displacement, extreme poverty, conflict and environmental degradation coincide;

(d) Calls upon the international community as a whole to continue providing needed support to ensure completion of CIREFCA's pending humanitarian agenda, including in particular the need to secure durable solutions, especially through voluntary repatriation and reintegration, for Guatemalan refugees;

(e) Welcomes the constructive cooperation established between the countries of the region, the multilateral agencies, in particular UNHCR and UNDP, bilateral donors and non-governmental organizations to achieve greater complementarity in their respective policies and programmes and encourages them to expand and develop cooperation, within their mandates, at the country level, in the post-CIREFCA period;

(f) Expresses its strong support for the regional Colloquium on the Tenth Anniversary of the adoption of the Cartagena Declaration, to be hosted by the Government of Costa Rica, in December 1994, as a valuable opportunity for the relevant States to reaffirm the protection principles and humanitarian practices espoused by Cartagena and implemented within CIREFCA and to seek modalities to respond to new humanitarian challenges in the region;

(g) Urges UNHCR to continue the broad dissemination, in Latin America and elsewhere, where appropriate, of the norms and principles of international protection implemented within the framework of CIREFCA, as well as the humanitarian practices deriving from the implementation of the CIREFCA Plan of Action in the field of international protection;

(h) Conveys its appreciation for the active participation and contribution made by the United Nations system, through the Office of the Secretary-General, UNDP and UNHCR, throughout the five-year CIREFCA process.

3. Conclusion on the Comprehensive Plan of Action for Indo-Chinese Refugees

31. The Executive Committee,

Reaffirming its support for the fundamental principles underlying the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA),

Further reaffirming the results of the Fifth Steering Committee of the International Conference on Indo-Chinese refugees and its Statement adopted on 14 February 1994, which states, inter alia, that it will "ensure the successful completion of the programmes by the target date of end 1995", and that "recognizing the achievements of the CPA, the Steering Committee nevertheless concluded that new initiatives were needed particularly to increase the rate of repatriation and bring the CPA to an early and successful conclusion",

Recognizing with satisfaction the progress made in 1994 in the implementation of the CPA, the near cessation of clandestine departures attributed to expanded mass information campaign, the regular departure programmes, the continued resettlement of Vietnamese refugees, and the completion of refugee status determination in countries of first asylum in 1994,

Noting with appreciation that, with international assistance and cooperation, continued voluntary repatriation in 1993 resulted in the return of 19,231 persons, in conditions of safety and dignity,

Also noting with appreciation the work of all concerned Governments, and relevant intergovernmental and non-governmental organizations over the past year,

Taking note of the results of the 7th Tripartite Meeting among the Royal Thai Government, the Lao People's Democratic Republic (LPDR) and UNHCR from 26 to 28 July 1994 in Thailand, during which a time frame was agreed upon for the return of all Lao expected to repatriate voluntarily by end 1995,

Taking into account the Memorandum of Understanding of the Government of Indonesia, the Socialist Republic of Viet Nam and UNHCR on Principles and Arrangements Relating to Returning Vietnamese Non-Refugees from Indonesia,

(a) Supports the continued voluntary repatriation programme to Viet Nam and the ongoing UNHCR monitoring and reintegration assistance programme in Viet Nam, reiterates the importance attached to the responsibility of States towards their own citizens and the return of persons determined not to be refugees to their country of origin in accordance with the CPA, and draws attention to those screened-out Vietnamese in the countries of first asylum and urges their early repatriation to Viet Nam;

(b) Urges all Parties concerned to continue to reinforce efforts for the return and reintegration of Lao refugees and asylum-seekers from Thailand and neighbouring countries as well as international development agencies and non-governmental organizations to increase the capacity of the LPDR to absorb a higher number of returnees;

(c) Notes with appreciation the contribution to date of all resettlement countries in finalizing the CPA and calls for continuing efforts towards the fulfilment of their commitments by the end of 1995;

(d) Calls for the convening of a formal meeting of the Steering Committee of the CPA in early 1995, preceded by a preparatory meeting, to complement the progress made so far by ensuring that remaining issues should be addressed, and to examine other modalities acceptable under international practices, for the return of screened-out Vietnamese from camps in the region as may be needed and as foreseen under the CPA;

(e) Urges all Governments concerned, in particular countries of origin, to support fully the required action for the timely and successful conclusion of this major humanitarian programme by the target date of end of 1995;

(f) Strongly appeals to the International Community to provide the necessary financial support for all the activities in the first asylum countries in 1995 for the safe and dignified return of screened-out Indo-Chinese asylum-seekers to their countries of origin, and in the countries of origin for the reintegration programmes which will go beyond 1995.

4. Conclusion on Repatriation to Afghanistan

32. The Executive Committee,

Reaffirming the importance and significance of voluntary repatriation as the most preferred durable solution to the refugee problem,

Noting Executive Committee Conclusions 18(XXI) and 40(XXXVI), which underline the importance of promoting and facilitating voluntary repatriation,

Emphasizing that voluntary repatriation is a long-term, multi-dimensional and complex process, especially when it has been delayed for a long time,

Expressing concern over the continuing suffering of the Afghan people and the magnitude of the social and economic problems posed to Pakistan and the Islamic Republic of Iran by the presence on their soil of millions of Afghan refugees,

Noting the slow pace of voluntary repatriation in 1994 owing to continued intense fighting in Kabul and other areas,

Fully aware that voluntary repatriation is most successful as a lasting solution when the necessary integration facilities for the returnees are provided in the country of origin, especially in the case of Afghanistan where the long-lasting war has led to the total destruction of infrastructures,

(a) Urges the international community and particularly Member States of the Executive Committee of the High Commissioner's Programme further to step up their support of the efforts made by the United Nations' Special Mission for Afghanistan, the Organization of the Islamic Conference and Governments in the region aimed at creating the political, economic and social framework conducive

to a peace settlement in Afghanistan, thus allowing the return of Afghan refugees and displaced persons to their homes in safety and dignity;

(b) Calls upon the international community to continue to contribute generously to humanitarian programmes in Afghanistan and ongoing voluntary repatriation and reintegration activities;

(c) Requests the High Commissioner to review the general programme for the care and maintenance of the Afghan refugees taking into account increasing requirements of the world's largest caseload of refugees;

(d) Invites the High Commissioner, in support of the efforts of the United Nations' Special Mission for Afghanistan and other humanitarian and development agencies, to intensify the activities of her Office in the safe areas of Afghanistan so as to create conditions conducive for the return of refugees and displaced persons to their places of origin.

5. Conclusion on Former Yugoslavia

33. The Executive Committee,

Condemning the continuing flagrant violations of international humanitarian law and fundamental human rights and acts of aggression in the former Yugoslavia, particularly in Bosnia and Herzegovina, and recognizing the ongoing need for humanitarian assistance,

Underlining the lead-agency role within the United Nations assigned to UNHCR, and its joint efforts with WFP, WHO, UNICEF, ICRC and non-governmental organizations in mobilizing and distributing life-saving emergency supplies,

Reiterating the eminently humanitarian nature of the assistance programme,

(a) Urges all Governments and Parties concerned to ensure that the Comprehensive Response to the Humanitarian Crisis in the former Yugoslavia continues to be fully implemented;

(b) Calls upon Governments and the international donor community to continue contributing generously to the United Nations Consolidated Inter-Agency Programme of Action;

(c) Calls on Governments to continue to extend protection to those fleeing from the conflict.

6. Conclusion on the Commonwealth of Independent States and Baltic States

34. The Executive Committee,

Expressing concern over the magnitude of existing and potential refugee and related migratory movements on the territory of the Commonwealth of Independent States and Baltic States,

(a) Encourages the efforts undertaken by the High Commissioner in approaching those problems with a regional perspective;

(b) Welcomes in this regard the initiative launched by the High Commissioner to engage in a process with Governments and all relevant intergovernmental and non-governmental organizations and bilateral agencies to promote and develop a concerted and comprehensive strategy to address problems of refugees, returnees, displaced persons and forced migrants in the Commonwealth of Independent States and the Baltic States;

(c) Supports the High Commissioner's consultations in that process which could lead to a regional conference under UNHCR auspices which would bring together all countries of the region, other countries with an interest in the matter, as well as bilateral agencies and international organizations, in particular, the International Organization for Migration.

7. Conclusion on PARinAc

35. The Executive Committee

Recalling the conclusion on the PARinAc (Partnership in Action) Process adopted by the Executive Committee at its forty-fourth session (A/AC.96/821, para. 27),

Recognizing the importance of the contributions to the PARinAc Process made by the regional preparatory meetings held in Caracas, Kathmandu, Tunis, Bangkok, Addis Ababa and Budapest, whose recommendations were endorsed in Oslo,

Noting with appreciation the Report on PARinAc (A/AC.96/832) presented to the forty-fifth session of the Executive Committee,

Acknowledging that the joint agenda for humanitarian action, as set out in the Oslo Declaration and Plan of Action, provides a useful basis for enhanced UNHCR/NGO collaboration based on principles of improved cooperation and coordination,

(a) Welcomes the PARinAc initiative and, in particular, the Oslo Declaration and Plan of Action adopted at the Global Conference in June 1994;

(b) Commends recent UNHCR/NGO initiatives to implement recommendations in the Plan of Action adopted at the Global Conference in June 1994;

(c) Invites Governments to participate in the follow-up and in the broadening of the dialogue with UNHCR and NGOs;

(d) Encourages NGOs, Governments and UNHCR to identify areas of the Plan of Action where they can cooperate to implement particular recommendations;

(e) Requests the High Commissioner to report to the Executive Committee at its forty-sixth session on the follow-up to the PARinAc process and to keep the Sub-Committee of the Whole on International Protection and the Sub-Committee on Administrative and Financial Matters, as appropriate, informed about progress made.

IV. PROVISIONAL AGENDA OF THE FORTY-SIXTH SESSION OF THE EXECUTIVE COMMITTEE

36. The Committee adopted by consensus the following provisional agenda of the forty-fifth session of the Executive Committee:

1. Opening of the session
2. Election of Officers
3. Adoption of the agenda and other organizational matters
4. General debate
5. Programme, administrative and financial matters
6. Participation of Government observer delegations
7. Consideration of the provisional agenda of the forty-seventh session of the Executive Committee
8. Any other business
9. Adoption of the draft report of the forty-sixth session
10. Closing of the session.

V. GOVERNMENT OBSERVER PARTICIPATION IN 1994-1995

37. The following observer Governments have applied to participate in the work of the Sub-Committees and in informal meetings of the Executive Committee of the High Commissioner's Programme from October 1994 to October 1995:

Armenia, Azerbaijan, Bangladesh, Bulgaria, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Egypt, Eritrea, Ghana, India, Iraq, Ireland, Kenya, Kuwait, Malawi, Mauritania, Mexico, Myanmar, Nepal, New Zealand, Pologne, Portugal, Republic of Korea, Russian Federation, Syrian Arab Republic, Romania, Senegal, Slovakia, Slovenia, South Africa, Swaziland, Uruguay, Viet Nam, Zambia, Zimbabwe.

Statement by Mrs. Sadako Ogata
United Nations High Commissioner for Refugees
to the Forty-fifth Session of the Executive Committee
of the High Commissioner's Programme

(Monday, 3 October 1994)

Mr. Chairman, Your Excellencies, Distinguished Delegates, Ladies and Gentlemen,

I am pleased to welcome you to the forty-fifth session of the Executive Committee. I am delighted to see the delegation of Spain seated for the first time as a full member at a plenary session of the Executive Committee.

Let me extend a special word of thanks to the outgoing Chairman, Ambassador Boddens-Hosang of the Netherlands, for his strong commitment, unstinting support and valuable advice during the past year. May I congratulate you, Mr. Chairman, on your election and that of the new Bureau. It is befitting that this Committee should be chaired by the Representative of a country which has generously provided asylum to millions of refugees. Your wisdom and guidance will be of tremendous value to my Office.

I would like to welcome Ms. Catherine Bertini, the Executive Director of World Food Programme, as our guest speaker. Her presence here is testimony of WFP's indispensable contribution to refugee assistance, and our commitment to further strengthen that partnership.

The need for such partnership, Mr. Chairman, has rarely been greater. The progress towards peace in the Middle East and the birth of a democratic South Africa have been among the rare signs of hope in a year too often marked by genocide, ethnic conflict, and resurgent violence. As more and more people continue to be uprooted in almost every region of the world, their protection and assistance grow more problematic, solutions to their plight ever more elusive. Whether stranded in countries of asylum or displaced inside their own, the fate of the uprooted has become tangled with geopolitical realities.

Not surprisingly, a symbiotic relationship is developing between the UN's political initiatives and development activities, and its humanitarian action. The success of one is linked to the performance of the other.

Lying at a critical juncture between peace and conflict, relief and development, humanitarian action must retain its integrity, neutrality and impartiality. Its quest must remain the protection and well-being of the victims of war, violence and persecution. By protecting the individuals, we reduce the tensions in society and enhance global human security. It was this realization that gave birth to UNHCR's unique mandate.

Amidst political instability and economic uncertainty, protection remains the essence of our humanitarian challenge. I should like to discuss with you today the contours and constraints of that challenge: the quality of protection

abroad and on return; the links between protection and solutions; the prevention of refugee flows; and the need for greater commitment, cooperation and capacity to meet these challenges.

Protection abroad: the quality of asylum

The crisis in Rwanda has highlighted the very serious protection problems inherent in large-scale emergencies. Ravaged by war and still reverberating with tensions, Rwanda, together with Burundi, has produced some two million refugees. Unfortunately, the human toll has been too high. But had it not been for the generosity of the people of Zaire and the United Republic of Tanzania, and the remarkable efforts of NGOs, donor government service personnel and United Nations humanitarian agencies, I fear the casualties would have been much higher. We have deployed over 220 international staff for the operation. The assistance situation has stabilized in the United Republic of Tanzania and the worst of the emergency has been overcome in Goma, though not yet in Uvira and Bukavu.

The volatile security situation in a region vexed by ethnic complexities has seriously threatened the capacity of the countries of asylum to protect refugees. In Burundi, political and ethnic tensions have endangered refugees and returnees alike. In August this year a UNHCR field officer was killed in northern Burundi. I hope that the Convention of Government signed by the Burundi political parties on 10 September 1994 will lead soon to the formation of a new Government which can reduce tensions.

The violence which gripped Rwanda has been transported by the human tide to the refugee camps in eastern Zaire, and also the United Republic of Tanzania. The lives of refugees and humanitarian staff have been endangered and the delivery of relief and essential services disrupted by armed elements from the former Rwandese army and militia. The aim appears to be to control the refugee population, block their voluntary return to Rwanda and build resistance against the government in Kigali.

I have conveyed my very serious concerns on the security situation of the refugees to the Zairian authorities and to the UN Secretary-General, and strongly urged the immediate removal of all armed elements from the camps. The Special Representative of the Secretary-General met with the Zairian authorities and discussions are now underway on how to achieve this objective.

Mr. Chairman, the problem of insecurity in refugee camps is not unique to the Rwanda crisis, but a deeply disturbing feature in many other countries too. As refugees flee the breakdown of political and social order in their country, they often find themselves in exile across the border in an environment not dissimilar to the one they fled, in remote areas outside the effective control of any Government. Overcrowded camps and the free flow of arms compound the situation. Refugee women and children are most seriously at risk, and open to abuse in the midst of violence.

UNHCR has tried to make a difference by establishing early presence in the field, de-congesting camps and locating them in safer areas, paying greater attention to the needs of refugee women, and providing training and support to

government officials. But when refugees are threatened by armed gangs, former soldiers and militia, then, it becomes a matter of law enforcement. As this Committee has reiterated in the past, it is the primary responsibility of the country of asylum to ensure the personal security of refugees and maintain the exclusively civilian and humanitarian character of refugee camps and settlements. While the principles are generally accepted, the political will, and more importantly, the capacity to implement them are often lacking. The international community must urgently examine how it can assist countries of asylum to take the necessary and concrete action to improve security in refugee camps.

If the quality of asylum has suffered in some countries, its availability has been restricted in others. I am very grateful to countries which, despite political and economic constraints, have continued to receive refugees generously. Keenly aware of the burden of host communities, we have pressed for greater assistance to them. But I am also disturbed at the growing reluctance of many states to keep their borders open.

Except in western Europe where asylum applications have steadily declined from 700,000 in 1992 to about 550,000 in 1993, the numbers of those seeking asylum are on the rise. In the face of persecution, war and violence, we must continue to uphold the institution of asylum. Indeed, I have sought to stress its temporary nature in an effort to broaden its availability. Asylum is not necessarily synonymous with an enduring solution. More often than not, it is a measure of interim protection, which buys time for solutions.

This was the reasoning behind the safe haven concept which UNHCR urged for Haitian asylum-seekers. My Office has closely collaborated with the United States and other Governments in the region to ensure temporary refuge for Haitians until they can return home. Recent developments may be leading to that stage.

In somewhat different circumstances, the concept of temporary protection has been applied to refugees from former Yugoslavia. By providing immediate safety to victims of war and emphasizing eventual return, it addresses the needs of individuals as well as the concerns of States. With ever growing numbers in need of international protection, I believe we must debate the wider and more consistent application of temporary protection. As we mark the twenty-fifth anniversary of the OAU Convention and the tenth anniversary of the Cartagena Declaration, it is opportune to examine the lessons of the broader protection offered by these regional instruments.

In this changing context, resettlement remains an important tool of protection. I am very grateful to countries which continue to provide resettlement places.

Protection at home: the sustainability of solutions

There is an inherent link between protection and solutions. Frequently, the availability of protection abroad is affected by the possibility of solutions back home. Nor can solutions be sustained, if the conflict and violence which provoked the exodus continue, and the security of the returnees is not assured.

This is why the search for solutions to refugee problems is not simply humanitarian but deeply dependent on political initiatives. Thus, the peace process in Mozambique has encouraged over a million refugees to return home. Positive developments in the Middle East may bring forth humanitarian solutions, in which my Office stands ready to play a role, if called upon, in line with our competence and our expertise, and in cooperation with other organizations.

I am very pleased that over 100,000 Myanmar refugees in Bangladesh have registered for repatriation, and that the pace of returns has significantly accelerated. I welcome the continued bilateral dialogue between the Governments of Bhutan and Nepal and would like to initiate separate discussions with them on modalities for implementing solutions for the 80,000 persons in the camps in Nepal.

I am disappointed, however, that prospects for solutions have been foiled by renewed violence in Liberia, Mali and Somalia. Also, the situation of over 2.5 million refugees who returned to Afghanistan remains extremely precarious with intensified fighting in Kabul and elsewhere in the country. Sadly, the number of returnees this year has been the lowest since the operation began in 1990. There are still some 3.3 million refugees in the Islamic Republic of Iran and Pakistan.

In former Yugoslavia, too, the future remains highly unpredictable. We are watching developments closely, as they will determine the course of our own operation. So too will donor support. For unless we receive the funds we need, we will have to cut down our activities.

In every repatriation operation, basic issues of security, and the political commitment and capacity of the country of origin to provide it, are critical factors. If those who return do not feel that their lives and liberties are safe, then, far from bringing about a solution, repatriation may actually precipitate another outflow.

This is why UNHCR is emphasizing the need to create an environment of confidence and security in Rwanda, and has taken a cautious policy on repatriation. As Cambodia and El Salvador have shown, a greater operational human rights role of the United Nations can be a valuable confidence building measure in such situations. Urgent financial and personnel support should be given to the United Nations High Commissioner for Human Rights in his efforts to deploy human rights monitors in Rwanda. Furthermore, my Office stands ready to support any initiatives for the reconciliation and rehabilitation of a society traumatized by ethnic killings on a genocidal scale.

I welcome the establishment by the United Nations General Assembly of the Human Rights Verification Mission to Guatemala. Mr. Franco, currently my Director of International Protection, has been appointed by the Secretary-General to lead the mission, and I know you join me in wishing him success in his new assignment.

Mr. Chairman, if yesterday's repatriation is not to become tomorrow's emergency, then the international community must show greater commitment to post-conflict rehabilitation. I am disturbed by the fragility of Cambodia. I am

disappointed at the lack of interest among the international community to consolidate our efforts in Tajikistan. The sustainability of solutions is one of my major concerns.

In an effort to assist communities which receive returnees, we have both widened the application of our community-based micro-projects or "QIPs" geographically from Mozambique to Myanmar, as well as deepened our understanding of them conceptually as a rapid, visible and viable contribution to reintegration. But our efforts can only be meaningful if they are placed in a larger framework of national rehabilitation, economic and social development and democratization of war-torn societies such as Mozambique.

To that end, as I indicated last year, we have sought to forge new alliances with development and financial institutions. Our efforts have begun to pay some dividends already with grants from the World Bank and the African Development Bank. We have also received a grant from IFAD for rehabilitation of environmental damage by refugees which will enable us to assist countries such as the United Republic of Tanzania.

A comprehensive approach: linking protection, solutions and prevention

As refugees become part of larger, more complex movements of people, Mr. Chairman, neither the solution, nor the prevention of refugee problems can be effectively promoted without addressing the plight of the internally displaced. Thus, within the limits of our capacity and resources, my Office remains willing to assume responsibility for the internally displaced where there is close link to an existing or potential refugee problem, as in Georgia, Tajikistan and Sri Lanka. This in line with the Executive Committee Conclusion of last year, endorsed by the United Nations General Assembly.

In Rwanda, we are assisting internally displaced persons, within the framework of the United Nations Emergency Relief Operation. Concentrating in the south-west, in the so-called former French zone, I believe our activities, together with those of others, have contributed towards preventing a further outflow.

Recognizing the enormous scale of the humanitarian problem in countries of origin, we support a division of labour within a clear structure. However, in carving out responsibilities, the United Nations must remain sensitive to the fundamental protection needs of the victims and to the protection mandate of my Office, if the goal is viable solutions.

Just as protection is linked to solutions, so too solutions and prevention are two sides of the same coin. They demand a more comprehensive and substantive effort to address the causes which force people to flee, as was done in the CIREFCA process in Central America, which was successfully completed in June this year. The Comprehensive Plan of Action in South-East Asia has also contributed in stemming the flow from Viet Nam. I call upon the countries in the region to make all efforts to ensure that the CPA will be completed by the end of 1995.

I have frequently advocated a regional and comprehensive approach for Europe. Particularly in the former Soviet Union, seething ethnic tensions, aggravated by political and economic restructuring, have created a hotbed for coerced movements. The range and scope of our involvement have grown, from traditional protection activities to emergency management training and capacity building in Russia and other countries of the former Soviet Union, assisting refugees and displaced persons in the Caucasus, organizing the safe and voluntary return of displaced persons in Georgia, and monitoring returnees in Tajikistan.

Piecemeal approaches are not the answer to the diversity and complexity of the challenges in that part of the world. Therefore, I have been encouraged by the request of the Russian Government, asking me to initiate a comprehensive strategy for the region. My Office is consulting with the relevant Governments and organizations on preparations for an international meeting next year. Let me caution, though, that a regional strategy, whether in this part of the world or elsewhere, can only succeed if there is unequivocal and sustained commitment of the Governments of the region, based on which the international community can make its contribution.

Looking ahead: safeguarding the mandate

Mr. Chairman, I have briefly outlined the challenges confronting my Office today in protecting refugees and resolving their plight. We cannot play our role in isolation. Our action must be part of a global strategy for international peace and security, human rights and economic and social development. But that brings new pressures and constraints on my Office, reducing our humanitarian space. In such situations, how do we defend the rights of the victims? Not only are human lives at stake. In the end, peace and progress are also the victims of humanitarian disasters.

I believe our humanitarian mandate can be safeguarded only through greater commitment, cooperation, clarity and capacity.

- Firstly, <u>commitment of Governments</u> to the basic humanitarian principles of impartiality and neutrality. Respect of these principles is essential to the credibility of humanitarian action and hence to our ability to protect human beings and find solutions to their plight. By building trust and confidence among the victims, we can go where peace-keeping forces cannot, we can buy time and space for political action, we can contribute to reconciliation. We need your political and moral support to maintain our distinct humanitarian mandate.

We also need your sustained financial support. Funding has been more regular this year than in the past, and I am grateful for this to the donors. I am particularly pleased to note the growing and significant support from the European Community's Humanitarian Office (ECHO). But we are still short of at least US$ 325 million in net contributions in order to reach our budgetary target of US$ 1.3 billion this year. I hope the commendable donor attention to the Rwanda/Burundi crisis will be sustained because our requirements there are likely to continue for some time. Meanwhile I must urge you not to overlook the needs elsewhere. Mozambique has been a bright spot in a gloomy year - please give us

the support we need to complete that operation. For Guatemala, Georgia, Azerbaijan and Tajikistan, we have received only half the funds we need. To make solutions a reality, we need your support.

- Secondly, cooperation with international and non-governmental organizations. Ms. Bertini's presence here is indicative of our deepening collaboration with WFP as we jointly work to meet the basic food needs of refugees, returnees and internally displaced. Our cooperation with ICRC is expanding in conflict situations. We are also working closely with UNDP and IOM to concretize our partnership in the field. With UNICEF we share a common concern for refugee children. As a former professor, I have been particularly pleased by the initiative of UNICEF and UNESCO to provide emergency education kits to refugee children in the United Republic of Tanzania so that their schooling could resume at an early stage of the emergency.

Cooperation is not a luxury but a necessity. Indeed, it is in this spirit that we launched PARINAC, or Partnership in Action with NGOs, last year. Now we must all work to implement the recommendations adopted at Oslo, particularly in the area of capacity building and training of local NGOs. I hope that your meeting with our NGO partners for the first time last Friday has helped to consolidate your support for PARINAC. Without your support, the full potential of our partnership cannot be realized.

Partnerships are most successful when they are built on complementarity of mandates and expertise. Thus:

- Thirdly, we need clarity of roles and responsibilities. As the political, military and humanitarian mandates interact in multifaceted United Nations operations, it is essential that all actors understand and respect each other's mandate, roles and responsibilities. Structures must be clear and established early. Relief needs to be coordinated but our protection mandate is clear and should be respected. I support the role of the Emergency Relief Coordinator and the Department of Humanitarian Affairs to allocate responsibilities in complex emergencies, in consultation with the Inter Agency Standing Committee. Needless to say, field level coordination should be kept lean to avoid bureaucrative layers.

- Fourthly, we need innovative approaches to capacity building and management. While UNHCR's emergency response stood us well in the United Republic of Tanzania, the scale and speed of the influx to Goma was overwhelming, compelling us to search for more innovative means of building capacity. Thus was born the idea of "service packages", under which donor Governments provided funds, facilities and services in sectors where our capacity and that of our partners were totally overwhelmed. We hope soon to invite the participants to review together the lessons learned with "service packages". Having seen the way military expertise can turn the tide of human suffering, we are actively examining the varying use of military support in a civilian-controlled multilateral humanitarian operation. Military assets could be a "force multiplier", to use a military term, in other words, not a long term involvement but a critical input to fill gaps in our response capacity. I am following with interest the current debate in the General Assembly on similar issues.

At the end of the day, capacity, Mr. Chairman, often translates into quality of staff. The commitment, competence and courage of UNHCR staff are truly impressive. As promised last year, we are investing in a Career Management System, which, together with other reforms, should give UNHCR a human resources management system which the organization needs and the staff deserves. I would like to pay a special tribute to UNHCR staff and those of our partners who have risked or lost their lives in situations of peril and conflict in the past year. In this connection, let me express the hope that the Draft Convention on the Safety and Security of United Nations Staff and Related Personnel, currently being discussed in New York, would be extended to United Nations humanitarian staff and to our NGO partners. Our people are in no less danger than the peace-keepers, our tasks no less meritorious.

Management is not just about staff and money. It is about thinking and planning. As traditional responses prove inadequate, we must search for new ideas and approaches. We must assess the lessons of history so that we can better predict the trends of the future. As you pointed out last year, Mr. Chairman, we must access the wide range of thinking in academic, policy research and other circles. We have actively contributed to the debate on population and development at the Cairo Conference. We have much to say on the issues of social integration and role of women on which the Social Summit in Copenhagen and the World Conference in Beijing will focus. These are all issues which deeply affect, and are affected by the dynamics of displacement. We must play a leading role in the international discourse on humanitarian issues.

I believe UNHCR's capacity for strategic thinking and planning needs to be enhanced. Planning should be linked to operations, so that our programmes can reflect our strategies. Thus, I intend to create a policy planning function in UNHCR at a senior management level and link it with the operational sectors of the house. I am considering the various administrative options of how to do so.

Simultaneously, we need to strengthen our ability to monitor the quality of our management. I have proposed the creation of an inspection and evaluation service, reporting directly to me, "feeling the pulse" of our major operations and field offices from time to time. Policy planning on the one hand and management oversight and evaluation on the other should give us a good balance.

As we enhance our thinking capacity internally, we must broaden our perspectives externally. With this objective in mind, I have extended a personal invitation to a small group of eminent, non-government personalities, representing a broad spectrum of today's society. We would meet informally about twice a year during the course of my mandate. The purpose would be to share insights and ideas so as to gain a better understanding of the global context in which humanitarian crises emerge and must be resolved.

To conclude, Mr. Chairman, today's humanitarian challenges are manifold and expanding. Emergencies that we once described as unprecedented are becoming the norm. Protection principles that were once clearly recognized are now being questioned. We are moving into situations from which we would have once evacuated. Our budget and our staff have doubled in four years. Our offices are

spread over 250 locations. As our world and our work change, we must reexamine our premises and policies, we must review our management functions and structures. We must ask: where are we going? and how do we get there?

The cataclysmic change in the role of the United Nations has given our own work a new dimension. When peace breaks down and development fails, humanitarian action is moving in to stem the human suffering. But as ethnic conflicts spread and political solutions become more elusive, there is a risk that humanitarian operations could become prolonged, draining limited resources and causing untold suffering. To avoid that, we must develop a strategy of vision and a plan of action. Complementing an Agenda for Peace and an Agenda for Development, the time may be ripe to launch an agenda for humanitarian action.

As we move forward, I know I can count on you to support our challenging but satisfying mission. Thank you, Mr. Chairman.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session
Extraordinary meeting: 17 January 1995

PROVISIONAL AGENDA

1. 1995 General Programmes Target

2. Applications by government observer delegations to participate in the work of the Sub-Committees and informal meetings of the Executive Committee

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session

REPORT OF THE EXTRAORDINARY MEETING OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME HELD AT GENEVA ON 17 JANUARY 1995

GE.95-00225

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I. INTRODUCTION

A. Background

1. An extraordinary meeting of the Executive Committee of the High Commissioner's Programme was held on 17 January 1995 under the chairmanship of His Excellency Ambassador Jakob Esper Larsen (Denmark), Vice Chairman of the Executive Committee of the High Commissioner's Programme. The meeting was convened to approve an increase in the General Programmes target, endorsed by the 16 January 1995 meeting of the Sub-Committee on Administrative and Financial Matters, from $ 415.4 million to $ 428.7 million.

B. Representation on the Committee

2. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Belgium, Canada, China, Colombia, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, Iran (Islamic Republic of), Italy, Japan, Madagascar, Morrocco, Netherlands, Norway, Pakistan, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States of America.

3. The Governments of the following States were present as observers:

Armenia, Bulgaria, Chile, Costa Rica, Croatia, Czech Republic, Egypt, Ghana, India, Ireland, New Zealand, Poland, Portugal, Russian Federation, Senegal, Slovakia, South Africa, Swaziland, Uruguay, Zambia.

4. The following intergovernmental organizations were represented by observers:

European Commission, International Committee of the Red Cross, International Organization for Migration, Organization of African Unity, Organization of the Islamic Conference.

C. Adoption of the agenda

5. The committee adopted by consensus the following agenda (A/AC.96/840):

1. 1995 General Programmes Target

2. Applications by government observer delegations to participate in the work of the Sub-Committees and informal meetings of the Executive Committee.

II. WORK OF THE COMMITTEE

6. A full account of the deliberations of the Committee is contained in the summary records of the meeting.

III. DECISIONS OF THE COMMITTEE

A. Decision on the 1995 General Programmes Target

7. The Executive Committee,

Having reviewed the information contained in the Overall Programme and Funding Projections for 1994 and 1995 and Revised 1995 General Programmes Target (EC/1995/SC.2/CRP.6),

Having taken note of the oral report on the work of the Sub-Committee on Administrative and Financial Matters at its meeting on 16 January 1995,

Noting the increased requirements in a number of refugee situations, largely in Africa and the Middle East,

Recalling the need for UNHCR to respond to these situations in an expeditious and well programmed manner,

(a) Approves an increase in the 1995 General Programmes target from $415,413,000, as approved by the forty-fifth session of the Executive Committee in October 1994, to a revised level of $428,732,500.

(b) Notes that revised proposed estimates for 1995 under both General and Special Programmes amount to some $ 1,272,487,300.

B. Decision on Government Observer Participation in 1995

8. The Executive Committee,

Approves the application by the Government of Malaysia to participate in the work of the Sub-Committees and in informal meetings of the Executive Committee in 1995.